CITY AND BOROUGH OF SITKA

Meeting Agenda - Final

Planning Commission

Chris Spivey, Chair
Darrell Windsor, Vice Chair
Randy Hughey
Victor Weaver
Stacy Mudry

Wednesday, January 15, 2020 | **7:00 PM** | **Harrigan Centennial Hall**

I. CALL TO ORDER AND ROLL CALL

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A PM 20-01 Approve the December 18, 2019 minutes.

IV. PERSONS TO BE HEARD

(Public participation on any item off the agenda. All public testimony is not to exceed 3 minutes for any individual, unless the Chair imposes other time constraints at the beginning of the agenda item.)

V. PLANNING DIRECTOR'S REPORT

VI. REPORTS

B MISC 20-01 Annual Election of Officers

VII. THE EVENING BUSINESS

C P 19-01 Public hearing and consideration of a final plat to result in two lots at 123 Anna Drive in the R-2 multifamily residential district. The property is also known as Lot 3, Miller Subdivision. The applicant is Daniel Falvey. The owners of record are Daniel Falvey and Kathleen O'Gara.

D P 19- 03 Public hearing and consideration of a final plat for a minor subdivision at 1306 Halibut Point Road in the R-2 zoning district. The property is also known as Lot 1A, Little Critter Subdivision. The applicant is the Sitka Community Land Trust. The owner of record is the Sitka Community Land Trust.

E VAR 20-01 Public hearing and consideration of a platting variance to connect more than 4 lots to a private utility system in a minor subdivision at 2370 Halibut Point Road in the R-1 MH single-family, duplex, and manufactured home zoning district. The properties are also known as Lot 1 Oceanview Ridge Subdivision and Lot 4 West Woodbury Subdivision. The request is filed by Michael Tisher. The owners of record are Michael and Glenda Tisher.

F P 19- 08 Public hearing and consideration of a final plat for a hybrid minor subdivision to result in 5 lots at 2370 Halibut Point Road in the R-1 MH single family, duplex, and manufactured home zoning district. The properties are also known as Lot 1 Oceanview Ridge Subdivision and Lot 4 West Woodbury Subdivision. The request is filed by Michael Tisher. The owners of record are Michael and Glenda Tisher.

G ZA 20-01 Public hearing and consideration of a zoning map amendment at 4513, 4521, and 4533 Halibut Point Road to be rezoned from the Industrial zoning district to the C-2 general commercial and mobile home district. The properties are also known as Lot A, HPM Subdivision, Lot 55, U.S. Survey 3475, and a portion of Lot Fifty-one (51), U.S. Survey 3475. The request is filed by Chris McGraw and Charles McGraw. The owners of record are Halibut Point Marine Services, LLC and Charles McGraw.

H ZA 19-06 Public hearing and consideration of a zoning text change to amend Titles 6, 19, and 22 of the Sitka General Code to define Tiny Houses and Tiny Houses on Chassis and allow them in Mobile/Manufactured Home Parks. The request is filed by the Planning and Community Development Department.

VIII. ADJOURNMENT

NOTE: More information on these agenda items can be found at https://sitka.legistar.com/Calendar.aspx or by contacting the Planning Office at 100 Lincoln Street. Individuals having concerns or comments on any item are encouraged to provide written comments to the Planning Office or make comments at the Planning Commission meeting. Written comments may be dropped off at the Planning Office in City Hall, emailed to planning@cityofsitka.org, or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.

Publish:

CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Chris Spivey, Chair
Darrell Windsor, Vice Chair
Randy Hughey
Victor Weaver
Stacy Mudry

Wednesday, December 18, 2019 | **7:00 PM** | **Harrigan Centennial Hall**

I. CALL TO ORDER AND ROLL CALL

Present: Darrell Windsor (acting chair), Victor Weaver, Stacy Mudry
Absent: Chris Spivey (excused), Randy Hughey (excused), Kevin Mosher (assembly liaison, excused)
Staff: Amy Ainslie, Scott Brylinsky
Public: Garry White, Lee Hanson, Shannon Tisher, Michael Tisher (telepresence), Hope Merritt, Howard Merkel, Richard Wein, Pat Swedeen, Shannon Haughland

Acting Chair Windsor called the meeting to order at 7:00 pm.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

M-Mudry/S-Weaver moved to approve the November 20, 2019 minutes. Motion passed 3-0 by voice vote.

A PM 19-18 Approve the November 20, 2019 minutes.

Attachments: 18-November 20 2019 DRAFT

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie said that the next scheduled meeting was slated to take place on January 1st. Given the holiday overlap, historically the first meeting in January had been cancelled. This would leave one meeting on January 15, 2020 for regular business, and a special meeting on January 22, 2020 for the kick-off of the No Name Mountain/Granite Creek Master Plan with the consultants, Jones & Jones. The Commissioners were agreeable to this schedule and cancelling the January 1 meeting.

Ainslie also provided an update on hiring a Planner I. Ainslie stated that the search was going very well, she and the hiring committee had conducted four interviews earlier in the week. Ainslie said the committee would be able to make an offer within a week.

VI. REPORTS

VII. THE EVENING BUSINESS

B P 19- 07

Public hearing and consideration of a final plat for a minor subdivision to result in two lots at 4550 Sawmill Creek Road in the GP Gary Paxton special zone district subject to the attached conditions of approval. The property is also known as Lot 9A Sawmill Cove Industrial Park Resubdivision #2. The owner of record is the City and Borough of Sitka. The request is filed by Garry White on behalf of the Gary Paxton Industrial Park Board of Directors.

Attachments:
P 19-07 GPIP Lot 9A Minor Sub_Staff Report
P 19-07 GPIP Lot 9A Minor Sub_Aerial
P 19-07 GPIP Lot 9A Minor Sub_Current Plat
P 19-07 GPIP Lot 9A Minor Sub_Final Plat
P 19-07 GPIP Lot 9A Minor Sub_Photos
P 19-07 GPIP Lot 9A Minor Sub_Applicant Materials

Ainslie reminded the Commission that the preliminary plat had been reviewed and approved by the Commission on November 20. The only change between the previously reviewed preliminary plat and the final plat presented tonight was that the access and utility easement had be shifted approximately 10 feet north to align with the edge of the dock. This change had been discussed at the November 20 meeting. For context, Ainslie explained that the sale of the dock had been approved by the Assembly on November 12. The dock was sold to Hanson Maritime Company which specialized in marine salvage, towing, diving, construction, etc. The dock itself was 200 feet long and 85 feet wide. The sale agreement was contingent on a successful subdivision of the dock and associated lands/tidelands. The lot to be subdivided was Lot 9A within the Gary Paxton Industrial Park (GPIP); Lot 9A was approximately 3.5 acres in size. The newly created lot would be 17,630 square feet, which exceeded the district minimum of 5,000 square feet. The newly created lot would be accessed via a 20 foot easement. Ainslie also referenced Economic Development Action 6.3 in the Comprehensive Plan which contained the stated goal to develop a marine center at GPIP to support fishing and marine fleets; the sale and proposed subdivision fit into the stated objective. As the lot met the development standards, enabled use of otherwise unutilized infrastructure, and was consistent with the Comprehensive Plan, Ainslie recommended approval.

Garry White came forward as the applicant. White did not have any details to add to the staff report, and reiterated GPIP Board and Assembly support for the sale and subdivision.

M-Mudry/S-Weaver moved to approve the final plat for a minor subdivision to result in two lots at 4550 Sawmill Creek Road in the GP Gary Paxton special zone district subject to the attached conditions of approval. The property was also known as Lot 9A Sawmill Cove Industrial Park Resubdivision #2. The owner of record was the City and Borough of Sitka. The request was filed by Garry White on behalf of the Gary Paxton Industrial Board of Directors. Motion passed 3-0 by voice vote.

M-Mudry/S-Weaver moved to adopt the findings as listed in the staff report. Motion passed 3-0 by voice vote.

C P 19- 08 Public hearing and consideration of a preliminary plat for a hybrid minor subdivision to result in 5 lots at 2370 Halibut Point Road in the R-1 MH single family, duplex, and manufactured home zoning district. The properties are also known as Lot 1 Oceanview Ridge Subdivision and Lot 4 West Woodbury Subdivision. The request is filed by Michael Tisher. The owners of record are Michael and Glenda Tisher.

Attachments: P 19-08 Tisher 2370 HPR_Staff Report

P 19-08 Tisher 2370 HPR_Aerial

P 19-08 Tisher 2370 HPR_Preliminary Plat

P 19-08 Tisher 2370 HPR_Applicant Materials

P 19-08 Tisher 2370 HPR_Ocean Ridge Subdivision updated easement

Ainslie shared history on the area and previous proposal for platting. The Commission had previously given preliminary plat approval for a 4 lot minor subdivision on May 15, 2019. The owner, Michael Tisher, had received interest in Lot 4 of the Woodbury Subdivision which was between the previously discussed Lot 1, Oceanview Ridge Subdivision (ORS) and the right-of-way, Tisher felt the best development plan for Lot 4 Woodbury Subdivision was to adjust the lot lines, resulting in a 5 lot hybrid subdivision overall. Ainslie felt this was a change on paper, and less of a change in practice. In the previous approval for the preliminary plat, the proposed subdivision was reliant on Lot 4 Woodbury Subdivision for access to Kramer Avenue. This action made the inclusion of Lot 4 Woodbury Subdivision formal. The proposal also met the burden of a hybrid subdivision which requires at least 1 lot to be fully accessed from a right-of-way; 2 lots in the subdivision were directly accessed from Kramer Avenue. Ainslie noted that the applicant had worked diligently with city staff particularly on utilities to build infrastructure to city standards, attain appropriate permits, and work through the conditions set by the Planning Commission. On the lots themselves, Ainslie described the size of the proposed lots as ranging from 13,867 square feet net to 43,624 square feet net - therefore all met the minimum standard of 6,000 square feet net. Lots would use Kramer Avenue for access and water service, and would be served from Halibut Point Road for sewer and electric services. Ainslie recommended approval of the subdivision because the proposed lots met the development standards, met the burdens for access, utilities, space, and air, and made use of land to add to residential housing stock.

Windsor had a question regarding limits on minor subdivisions - how many times a minor subdivision could be further subdivided into more minor subdivisions. Ainslie provided information on code requirements for access and utilities that could limit this type of platting.

The applicant, Michael Tisher, was available telephonically to answer any questions. Windsor thanked Tisher for the work he had completed on the lots and thought the proposal looked good.

M-Mudry/S-Weaver moved to approve the preliminary plat for a hybrid minor subdivision to result in 5 lots at 2370 Halibut Point Road in the R-1 MH district. The properties were also known as Lot 1 Oceanview Ridge Subdivision and Lot 4 West Woodbury Subdivision. The request was filed by Michael Tisher. The owners of record were Michael and Glenda Tisher. Motion passed 3-0 by voice vote.

M-Mudry/S-Weaver moved to adopt the findings as listed in the staff report.

Motion passed 3-0 by voice vote.

D CUP 19-20

PULLED ~~Public hearing and consideration of a conditional use permit for a short-term rental at 103 Kramer Avenue in the R-1 MH single-family, duplex, and manufactured home zoning district. The property is also known as Lot A, Horvath Subdivision. The request is filed by Matthew and Sidney Kinney. The owners of record are Matthew and Sidney Kinney.~~

Attachments:

CUP 19-20 103 Kramer STR_Staff Report

CUP 19-20 103 Kramer STR_Aerial

CUP 19-20 103 Kramer STR_STR Density

CUP 19-20 103 Kramer STR_Floor Plan

CUP 19-20 103 Kramer STR_Photos

CUP 19-20 103 Kramer STR_Plat

CUP 19-20 103 Kramer STR_Renter Handout

CUP 19-20 103 Kramer STR_Application

This item was pulled prior to the meeting. No action was taken.

E CUP 19-21

PULLED ~~Public hearing and consideration of a conditional use permit for a short-term rental at 3009 Halibut Point road in the R-1 MH single-family, duplex, and manufactured home zoning district. The property is also known as the Northwesterly portion of Lot U, US Survey 2751, Sitka Small Tracts Group. The request is filed by Charles and Theresa Olson. The owners of record are Charles and Theresa Olson.~~

Attachments:

CUP 19-21 3009 HPR STR_Staff Report

CUP 19-21 3009 HPR STR_Aerial

CUP 19-21 3009 HPR STR_STR Density

CUP 19-21 3009 HPR STR_Floor Plan

CUP 19-21 3009 HPR STR_Photos

CUP 19-21 3009 HPR STR_Plat

CUP 19-21 3009 HPR STR_Renter Handout

CUP 19-21 3009 HPR STR_Application

This item was pulled prior to the meeting. No action was taken.

F CUP 19-22

PULLED ~~Public hearing and consideration of a conditional use permit for a short-term rental at 2160 Halibut Point Road in the R-1 MH single-family, duplex, and manufactured home zoning district. The property is also known as Lot 1, Vonrekowski Subdivision. The request is filed by Charles and Theresa Olson. The owners of record are Charles and Theresa Olson.~~

Attachments:

CUP 19-22 2160 HPR STR_Staff Report

CUP 19-22 2160 HPR STR_Aerial

CUP 19-22 2160 HPR STR_STR Density

CUP 19-22 2160 HPR STR_Floor Plan

CUP 19-22 2160 HPR STR_Photos

CUP 19-22 2160 HPR STR_Plat

CUP 19-22 2160 HPR STR_Renter Handout

CUP 19-22 2160 HPR STR_Application

CUP 19-22 2160 HPR STR_Public Comment

This item was pulled prior to the meeting. No action was taken.

G CUP 19-23 Public hearing and consideration of a conditional use permit for a short-term rental at 114 Erler Street Apt. A in the R-1 single family and duplex residential district. The property is also known as Lot 7, Block 27 Spruce Glen Subdivision. The request is filed by Howard Merkel. The owner of record is Howard Merkel.

Attachments:

CUP 19-23 114 Erler STR_Staff Report

CUP 19-23 114 Erler STR_Aerial

CUP 19-23 114 Erler STR_STR Density

CUP 19-23 114 Erler STR_Floor Plan

CUP 19-23 114 Erler STR_Photos

CUP 19-23 114 Erler STR_Plat

CUP 19-23 114 Erler STR_Renter Handout

CUP 19-23 114 Erler STR_Application

The proposed rental was located within a moderate density, residential neighborhood. While the property in question was in an R-1 zone, it was adjacent to an R-2 zone, which meant there were many multi-family homes nearby. The unit to be rented was located within a structure with two dwelling units. The owner/applicant lived on site, and the house was his primary residence. The unit to be rented had 1 bedroom and 1 bathroom along with kitchen, living/dining, and laundry facilities. Ainslie described the ample buffers at the rear of the lot as well as the west side of the lot, as the property abutted an undeveloped right-of-way and a vacant lot. The structure was also set approximately 66 feet back from the front property line, providing for parking and buffering. The property was accessed from a city right-of-way. The owner was on-site to mitigate any disturbances to himself or neighbors, and would also be professionally managed. Ainslie recommended approval.

The applicant, Howard Merkel came forward. Merkel added that the unit had been a long term rental for 3 years and he now wanted expanded options for use of the unit. Commissioners had no questions for Merkel; Windsor stated that it looked like a good location for a short-term rental.

M-Mudry/S-Weaver moved to approve the conditional use permit for a short-term rental at 114 Erler St. Apt. A in the R-1 single-family and duplex residential district subject to the attached conditions of approval. The property was also known as Lot 7, Block 27 Spruce Glen Subdivision. The request was

filed by Howard Merkel. The owner of record was Howard Merkel. Motion passed 3-0 by voice vote.

M-Mudry/S-Weaver moved to adopt the required findings for conditional use permits. Motion passed 3-0 by voice vote.

H ZA 19-06 Public hearing and consideration of a zoning text change to amend Titles 6, 19, and 22 of the Sitka General Code to define Tiny Houses and Tiny Houses on Chassis and allow them in Mobile/Manufactured Home Parks. The request is filed by the Planning and Community Development Department.

Attachments: StaffReport ZA 19-06- 11Dec19
Action Plan -Tiny Homes, sm dwellings - Draft
IRC Appendix Q-Tiny Houses
amending Title 6 ver2 11Dec19
amending title 19 adopting appendix Q 11Dec19
amending title 22 - ver2 11Dec19
Application

Windsor stated he did not want to take any action on the following item given that two Commissioners were absent. Brylinsky was agreeable and felt there was enough substance in the next three items that it warranted discussion and direction.

Brylinsky reviewed the Assembly's action plan on tiny houses and noted that the following proposal directly addressed actions 2b and 2c of the plan. Brylinsky described the overall needed changes for tiny houses to become feasible housing options was to first create a designation in our codes for tiny houses to be built and used, and secondly to find more placement options for such structures. Brylinsky covered details in Appendix Q of the International Residential Code that made new provisions for tiny houses, which were classified as dwelling units less than 400 square feet in size. Brylinsky highlighted the code changes in stair requirements, and provisions for egress for lofts. Overall, the zoning text change accomplished the following: defined tiny houses and established building code requirements for tiny houses, allowed tiny houses on chassis to be placed in mobile/manufactured home parks, allowed tiny houses on permanent foundations to be built in mobile/manufactured home parks, changed the maximum structure height in mobile/manufactured home parks to be increased from 14 feet to 16 feet, and established installation and construction material requirements for tiny houses.

Mudry stated some concern about the total height of a tiny house on chassis exceeding 14 feet due to possible electric line interference. Windsor asked about anchoring and wind resistance for tiny houses on chassis. Brylinsky answered that tiny houses on chassis would require similar anchoring to manufactured homes.

Commissioners and Staff had a broad discussion about tiny houses - particularly on chassis. Windsor recalled that the Commission had considered similar proposal a few years prior, and wondered if it was productive to rehash that conversation. Ainslie stated that she felt a few critical factors had changed since the last consideration of tiny houses. First, at the time of previous discussions, it was not known whether tiny houses would continue to be a growing trend and therefore whether or not there was truly a community need for code revisions. Ainslie affirmed that the tiny house trend had continued to grow locally and nationally as well. Secondly, when last considered,

there was no building code framework for which tiny houses could be evaluated for their safety and soundness of construction. Now that the IRC had created Appendix Q, there was now a framework for the building department to use in evaluating tiny houses. Windsor asked why the chassis was a necessary/attractive option. Ainslie and Brylinsky described the versatility of a movable structure and the temporary/transient need tiny houses on chassis could fill.

Building Official, Pat Swedeen spoke on some of the building code aspects. Swedeen stated that tiny houses have long been allowable under the building code; the major change in this proposal was the chassis. Swedeen felt comfortable administering Appendix Q; a bigger challenge would be inspecting tiny houses built of of town. Some tiny houses built out of state were not built to any code requirement. Swedeen also wanted to make clear the need for egress out of loft areas which would be required for Sitka tiny houses. His main concern and focus for tiny houses was ensuring life/safety.

Richard Wein discussed a few ideas and concerns. First, Wein stated that a major difference between a tiny house on a permanent foundation versus being on a chassis would be the property tax value. Wein wondered how different a tiny house truly is from a recreational vehicle. Placement in landslide zones could be dangerous, as Wein thought a non-anchored structure such as a tiny house on chassis could act as a projectile in a landslide event. Wein noted these structures could be good for seasonal and transient populations, both of which were growing demographics in Sitka. There would be a need to educate the public on what they could or could not buy to then place in Sitka. Wein also stated that some tiny houses had a challenged ability to dissipate odor.

M-Mudry/S-Weaver moved to recommend that staff continue to research and work through the issues and concerns raised in the evening's deliberations and return with a revised proposal. Motion passed 3-0 by voice vote.

I MISC 19-20 Discussion/Direction on allowing Tiny Houses on Chassis as Accessory Dwelling Units.

Attachments: discuss-direct tinyhome on chassis as ADU's-memo to PC 11Dec19

Brylinsky noted that the objective of the next two items was to expand options for placement of tiny houses. At the previous meeting, there was some support for the idea of allowing tiny houses, particularly on chassis, as ADUs. The code currently does not allow RV's or tiny houses on chassis to be used. While staff did not feel there should be changes to the prohibition on RV's as ADUs, perhaps given the proposed building and aesthetic code changes, as well as requirements for freeze-protected utility connections, tiny houses on chassis could be reconsidered for ADU use.

Windsor asked for clarification on whether or not ADUs were a conditional use, Ainslie and Brylinsky discussed some of the requirements for ADUs, and when it was a permitted or conditional use. Weaver stated that his preference to not have tiny houses on chassis as they were not as durable. Windsor echoed the preference for ADUs to be on a permanent foundation.

Richard Wein thought that between the reduction in lot sizes, the adoption of ADUs, and the use of tiny houses, some headway on affordable housing could be made. Wein wished to see this idea more fleshed out before ruling it out. Wein pointed to other stabilization methods used for manufactured homes that could be employed for tiny homes as well to increase their stability and durability.

Ainslie discussed the idea of multi-generational housing and how tiny houses on chassis as ADUs could enable more residential land to be used for transitional housing. Brylinsky added information about the cost difference between a permanent foundation and a tiny house on chassis placement.

No motion was made.

J MISC 19-21 Discussion/Direction on allowing three Tiny Houses on Chassis per lot.

Attachments: discuss-direct 3 tiny houses on chassis per lot 11Dec19

Brylinsky described the proposed idea to create a designation in the zoning code which would allow for up to 3 tiny houses to be placed on a standard sized residential lot. This would be differentiated from mobile/manufactured home parks. Windsor pondered if communal shower/plumbing facilities could be created, particularly for those using the space seasonally. Weaver noted that nationally, multiple tiny houses per lot were being used to provide housing for the homeless - which would need to be a consideration when deciding where this would be allowed. Ainslie said her preference would be for this to be a conditional use, so that public and neighborhood concerns could be heard, and the permit could be revoked if the permit holder did not comply with conditions of approval. Brylinsky thought that dense, well established neighborhoods would not have space for such a use, but some low-density neighborhoods where homes are more spread out could have land available for this purpose. Mudry inquired about separation distances between the structures, setback requirements, and parking provisions. There was discussion about what zones and lot sizes would be best suited for this type of use. Weaver also raised concerns for the quality of the fill/pad for placement. Pat Swedeen answered that placement of tiny house on chassis would be considered/managed similarly to a manufactured home.

No motion was made.

VIII. ADJOURNMENT

Seeing no objection, Acting Chair Windsor adjourned the meeting at 8:30 pm.

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Case No:	P 19-01
Proposal:	Final Plat – additional lot within hybrid minor subdivision
Applicant:	Daniel Falvey
Owner:	Daniel Falvey and Kathleen O'Gara
Location:	123 Anna Drive
Legal Desc.:	Lot 3, Miller Subdivision
Zone:	R-2 multifamily residential district
Size:	Existing: 58,910 square feet, Proposed: Lot 1 – 31,253 sf, Lot 2 –27,599 sf
Parcel ID:	3-0950-030
Existing Use:	Residential
Adjacent Use:	Residential
Utilities:	Anna Drive
Access:	Anna Drive

KEY POINTS AND CONCERNS:

- Conceptual proposal approved by the Commission at their March 6, 2019 meeting. Preliminary plat and platting variance granted at October 16, 2019 meeting.
- Approved as an additional lot within a hybrid minor subdivision
- Lots meet dimensional development standards of 6,000 square feet net of access easements.
- Applicant has created and recorded an access and maintenance agreement for the access and utility easements serving the neighboring area.
- Applicant has completed a drainage study.

RECOMMENDATION:

Approve the final plat of the minor subdivision of 123 Anna Drive subject to the attached conditions of approval.

ATTACHMENTS:

Attachment A: Aerial
Attachment B: Current Plat
Attachment C: Preliminary Plat
Attachment D: Photos
Attachment E: Drainage Report
Attachment F: Site Plan
Attachment G: Applicant Materials

BACKGROUND:

The applicant proposes to subdivide 123 Anna Drive into two lots. 123 Anna Drive is currently a lot in a minor subdivision of four lots. Creating an additional lot would create a fifth lot in the minor subdivision. Five lot minor subdivisions are allowed under Chapter 21.36 of Sitka General Code, and are considered hybrid subdivisions. Sitka General Code describes two types of hybrid subdivisions. The applicant proposes the first type, "*The first classification is a subdivision that contains five lots where the first lot has access and utility connections directly off of a dedicated street right-of-way that has been accepted for maintenance by the State of Alaska or the City and Borough of Sitka*." (SGC 21.36.010)

123 Anna Drive is a "flag" shaped lot, with the "pole" of the flag making direct contact with the right-of-way. The newly created lot would be the "first lot" in the hybrid subdivision, meaning that it would have a direct connection to the right-of-way. The applicant has sought a platting variance to connect the newly created lot to the private utility system rather than the public utility system (see action V 19-05). As was previously noted, there was not a maintenance agreement for the private utility system that currently serves 4 lots in the subdivision. The applicant has created a new maintenance agreement which includes provisions for the access easement and for the utility infrastructure. This agreement has been signed by all affected properties and recorded with the State of Alaska.

PROJECT DESCRIPTION:

The proposed minor subdivision is intended to divide Lot 3 of the Miller Subdivision into two lots. The newly created parcels will exceed the development standards for the R-2 zoning district, the minimum lot size in this zone is 6,000 square feet net of access easements. In the proposed subdivision, the lots will have the following sizes (measured net of access easements):

- Lot 1: 24,233 sf
- Lot 2: 13,887 sf

The applicant intends to build a single-family home on the newly created Lot 2 and has begun some lot preparation and clearing to better inform full site plans.

Title 21

The purposes of the subdivision regulations are: to promote and protect the public, health, safety and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying. [1] These factors are analyzed in the below Analysis section.

[1] SGC Section 21.04.020

Development Standards

The minimum lot area for the R-2 District is 6,000 square feet. Both resulting lots will meet these minimums.

ANALYSIS:

Site: Lot is currently large and sparsely developed. Though there is steep topography, there is buildable area that can be accessed via existing roadway.

Utilities: Utilities are available via a utility easement from Anna Drive. Platting variance approved as properties connected to the easement would exceed 4. Maintenance agreements for utility easements is developed and recorded, and will be cited via plat note.

Access, Roads, Transportation, and Mobility: Newly created Lot 2 is flag shaped with the "pole" of the flag making contact with a right-of-way. Access for Lot 1 changes legally but not practically; Lot 1 becomes a grantee, rather than the grantor, of the access easement. Maintenance agreement for access easement is developed and recorded, and will be cited via plat note.

Public, Health, Safety and Welfare: Locations for utilities are planned via proposed platted easements. A condition of approval requires all utility installations to undertake the required permitting processes. Creates developable lot in a residential neighborhood.

Orderly and Efficient Layout and Development: The historic development of the neighborhood was not necessarily the most efficient approach given resulting access and utility challenges. However, current proposal more fully utilizes available space and created clarity for utility maintenance.

COMPREHENSIVE PLAN

The proposed minor subdivision final plat complies with the Comprehensive Plan by following the subdivision process, and encourages higher density housing development of otherwise vacant land.

RECOMMENDED MOTIONS

1. "I move to approve the final plat of a hybrid minor subdivision to result in two lots at 123 Anna Drive in the R-2 multifamily residential district subject to the attached conditions of approval. The property is also known as Lot 3, Miller Subdivision. The request is filed by Daniel Falvey. The owners of record are Daniel Falvey and Kathleen O'Gara."

Conditions of Approval.

1) All utilities, including water, sewer, and electricity shall be required to have an approved permit from the municipality; and all utility permits and design shall comply with all applicable code and design polices including, but not limited to 15.04.100, 15.04.110, 15.04.240, and 15.04.250.
2) This subdivision development and the plat, prior to recording, complies with all applicable Sitka General Code.
3) All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.
4) Easement maintenance agreements for the access and utility easements shall be developed and recorded before final plat approval.
5) All easement agreements will be cited via plat notes. The City and Borough of Sitka is a party to all easements.

2. "I move to adopt the findings as listed in the staff report":

a. The final plat meets its burden of proof as to access, utilities, and dimensions as proposed;
b. The proposed minor subdivision final plat complies with the Comprehensive Plan by following the subdivision process, and enables economic development of otherwise vacant land;
c. The proposed minor subdivision final plat complies with the subdivision code; and
d. The minor subdivision final plat is not injurious to the public health, safety, and welfare and further that the proposed plat notes and conditions of approval protect the harmony of use and the public's health, safety and welfare.

City & Borough of Sitka, Alaska

Selected Parcel: 123 Anna Dr ID: 30950030

Printed 2/20/2019 from http://www.mainstreetmaps.com/ak/sitka/public.asp

20 m
100 ft

N

MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED AND ACTING FINANCE DIRECTOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF:

John C. & Katherine A. Miller

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 4th DAY May, 1993
AT SITKA, ALASKA

John P. Sweeney Jr.
FINANCE DIRECTOR, CITY AND BOROUGH OF SITKA.

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 92-31 DATED _____
AND THAT THE PLAT HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

5-4-93 Larry L. Nelson
DATE CHAIRMAN

ATTEST: Gail Kalevik
SECRETARY
SEAL:

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA, AND THAT SAID PLAT HAS BEEN APPROVED BY THE ASSEMBLY AS RECORDED IN MINUTE BOOK _____ PAGE _____ DATED _____
AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

5-4-93 Dan Moller
DATE MAYOR

ATTEST: Melinda L. Yerkes
CLERK

CITY AND BOROUGH OF SITKA — DECEMBER 2, 1971

CERTIFICATE

STATE OF ALASKA }
1ST JUDICIAL DISTRICT } SS

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED AND ACTING ASSESSOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF:

JOHN C. & Katherine A. Miller

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS IN FAVOR OF THE CITY AND BOROUGH ARE PAID IN FULL. THAT CURRENT TAXES FOR THE YEAR 1993 WILL BE DUE ON OR BEFORE April 30, 1993

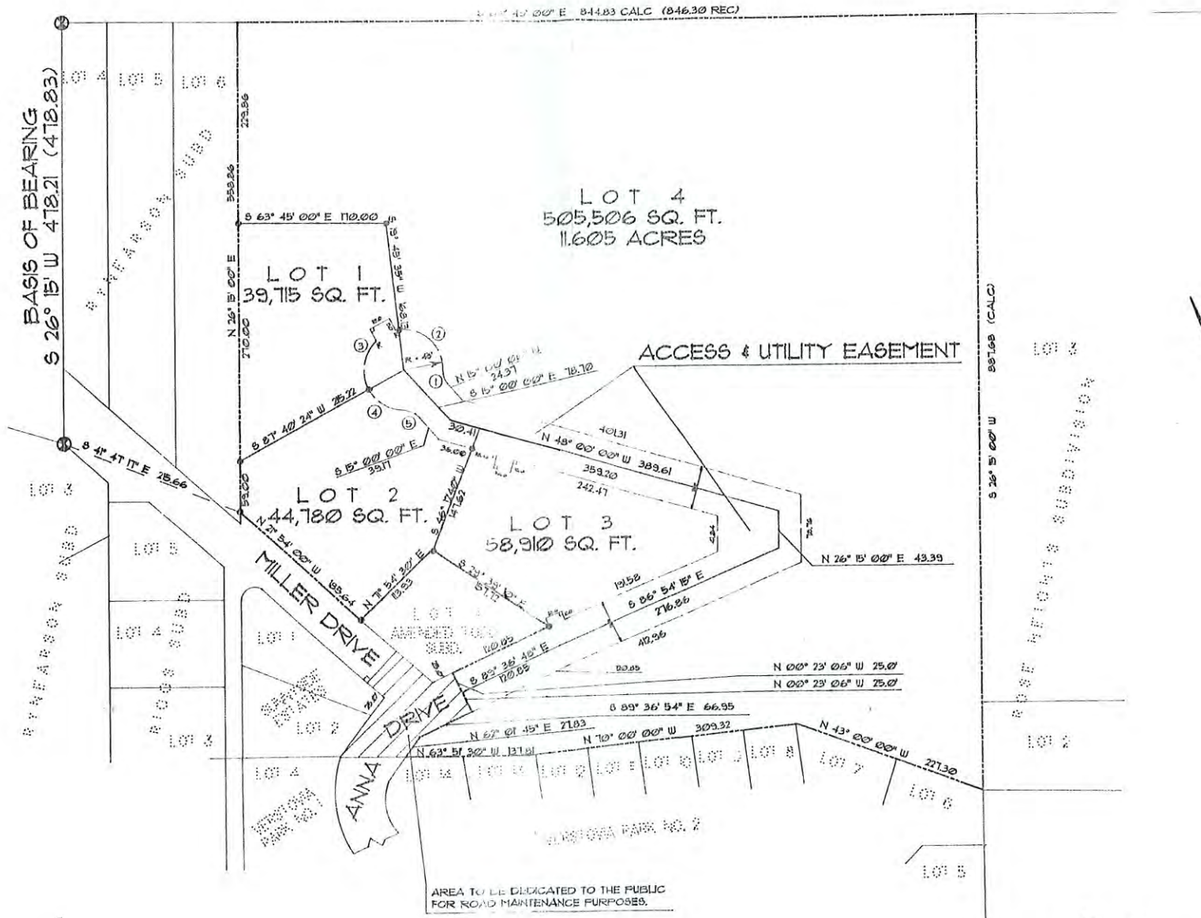
DATED THIS 4th DAY OF May 19 93
AT SITKA, ALASKA.

ASSESSOR, CITY AND BOROUGH OF SITKA

WASTEWATER DISPOSAL

Subject to any noted restrictions, the Alaska Department of Environmental Conservation approves this subdivision for platting.

Dist. Mgr. 5/4/93
Name and Title of ADEC Approving Official — Date



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____ OWNER _____ (SIGNATURE)

DATE _____ OWNER _____ (SIGNATURE)

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS_____DAY OF_____, 20_____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED_____

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND_____ ACKNOWLEDGED TO ME THAT_____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES_____.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE OF PAYMENT OF TAXES (STATE OF ALASKA) (FIRST JUDICIAL DISTRICT)

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BOROUGH OF SITKA, IN THE NAME OF_____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20_____ WILL BE DUE ON OR BEFORE AUGUST 31, 20_____ DATED THIS_____ DAY OF_____.

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED_____ 20_____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATTING BOARD

SECRETARY

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK_____ PAGE_____ DATED_____ 20_____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR

CITY AND BOROUGH CLERK

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF: _____

(ALL OWNERS OF RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS ____ DAY OF _____
20 ____, AT SITKA, ALASKA.

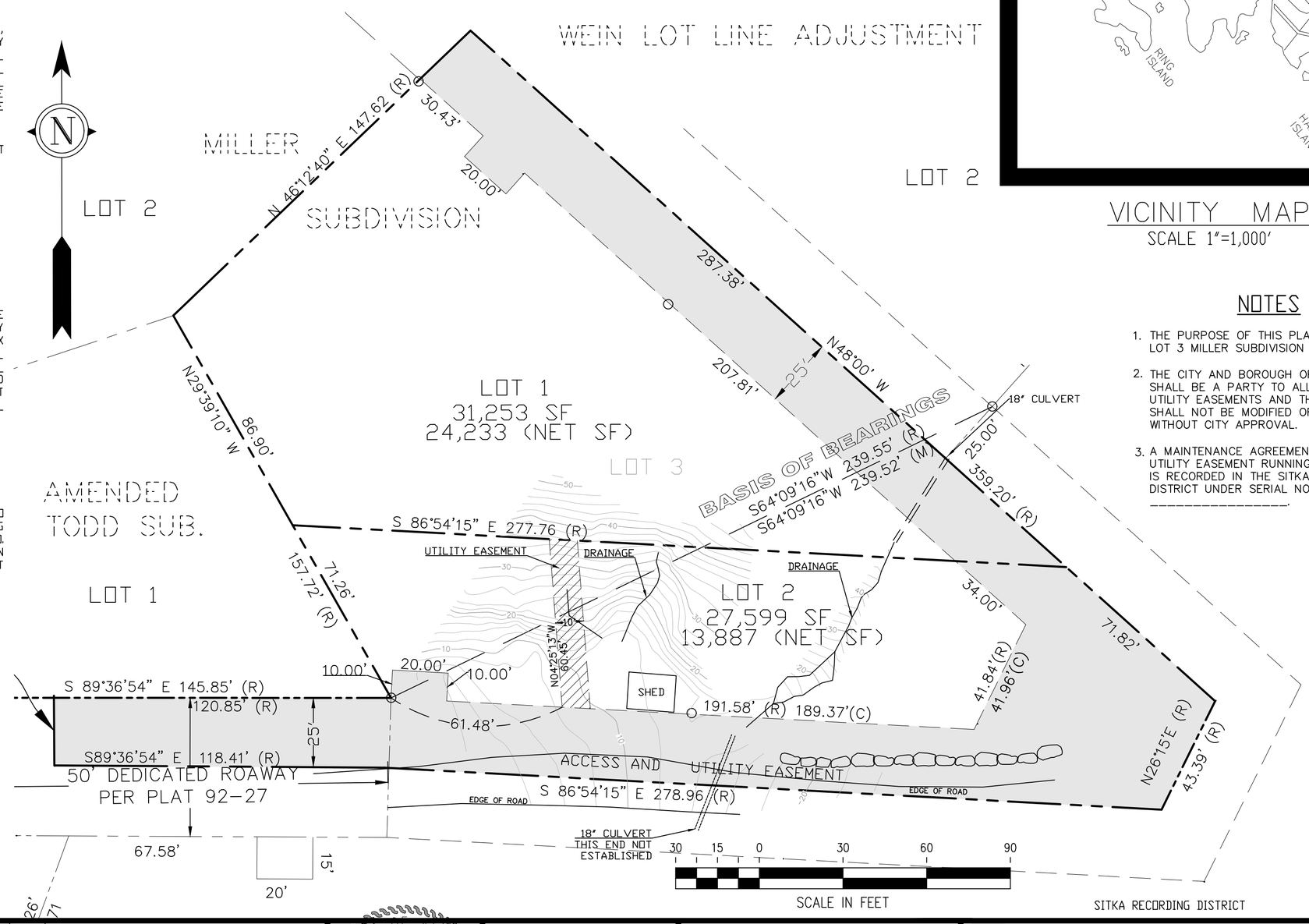
FINANCE DIRECTOR
CITY & BOROUGH OF SITKA

LEGEND

- PRIMARY CONTROL MONUMENT RECOVERED (BRASS CAP)
- BLM/GLO PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

VICINITY MAP

SCALE 1"=1,000'



SITKA RECORDING DISTRICT

NOTES

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 3 MILLER SUBDIVISION INTO TWO LOTS.
2. THE CITY AND BOROUGH OF SITKA (CITY) SHALL BE A PARTY TO ALL ACCESS AND UTILITY EASEMENTS AND THE EASEMENTS SHALL NOT BE MODIFIED OR RELOCATED WITHOUT CITY APPROVAL.
3. A MAINTENANCE AGREEMENT FOR THE 10' UTILITY EASEMENT RUNNING THROUGH LOT 2 IS RECORDED IN THE SITKA RECORDING DISTRICT UNDER SERIAL NO. _____.

NORTH 57 LAND SURVEYING
(907) 747-6700 2007 CASCADE CREEK ROAD, SITKA, AK 99835

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

STATE OF ALASKA 49TH KELLY J. O'NEILL #LS 13321 REGISTERED PROFESSIONAL LAND SURVEYOR

DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: KO
DATE OF PLAT: July 11, 2019
SCALE: 1' = 30'
DRAWING NAME: 40185-01
PROJECT NO. 40185-01

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN _____ A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE _____ KELLY O'NEILL LS 13321

FALVEY SUBDIVISION

LOT 3 MILLER SUBDIVISION

CLIENT: DAN FALVEY

FORGE ENGINEERING

PO BOX 240773
ANCHORAGE, AK 99524

522-7773
677-7766 (FAX)

FORGECIVIL.COM

August 6, 2019

STATE OF ALASKA
49 TH
Benjamin Schiller
CE 12592
8/6/19
REGISTERED PROFESSIONAL ENGINEER

Department of Public Works, City and Borough of Sitka
100 Lincoln Street
Sitka, AK 99835
Attn: Dave Longtin

Subject: **Miller Subdivision, Lot 3**
Grading plan and stormwater calculations

Dear Dave:

The owner of a property in the Miller Subdivision, off Anna Drive, would like to subdivide it into two separate properties. We would like to submit this grading and drainage plan for the two new properties.

The property has an existing single-family home on it, on the upper portion (31,253 SF), which would become Lot 1. Lot 2 would be comprised of the lower 27,599 SF. The owner plans on building another single-family home on Lot 2, and has proposed the location based on the access and lot contours.

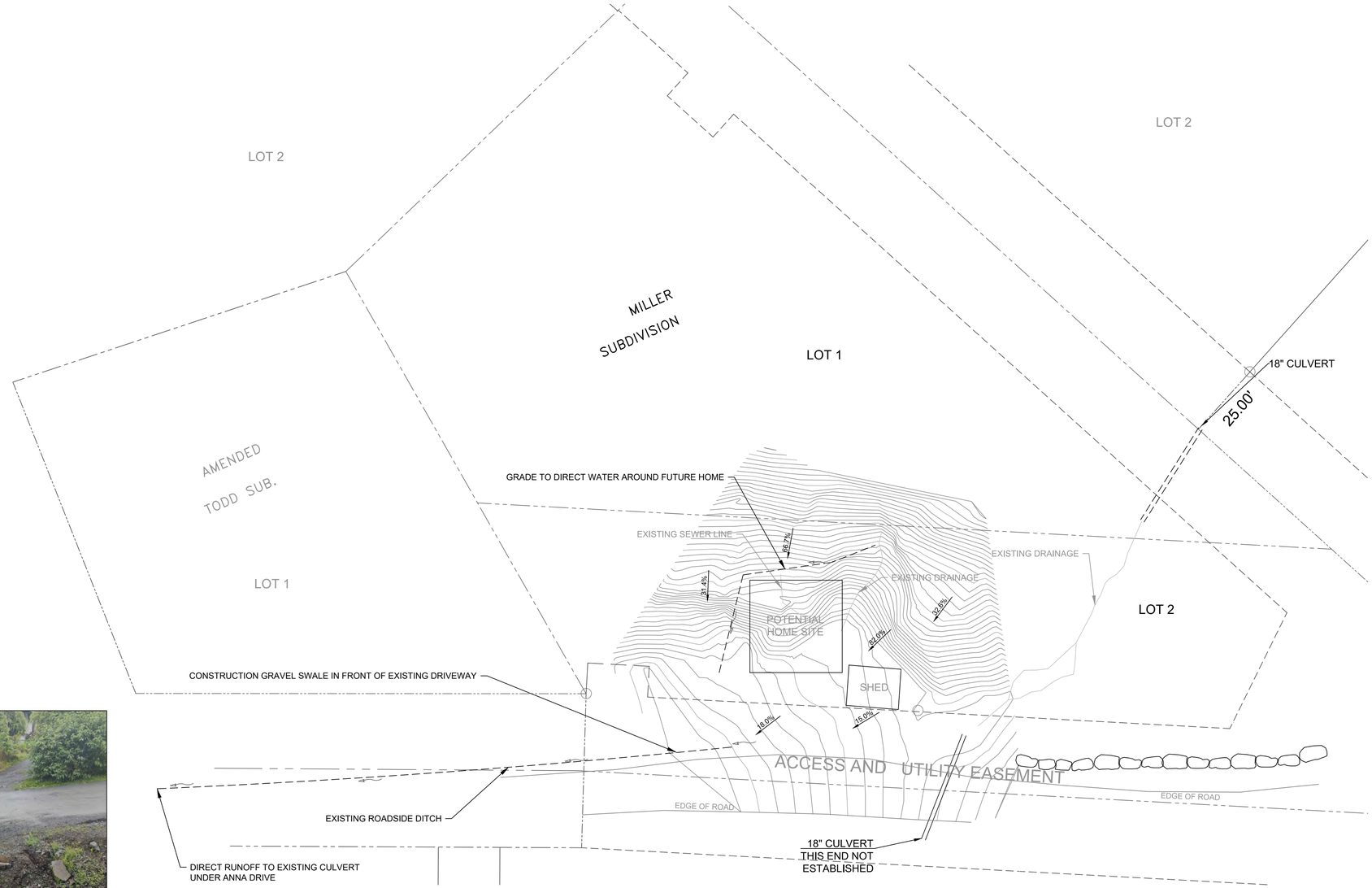
Both proposed lots currently drain into small intermittent streams that run through the property. There is a small stream on the east side that enters into a culvert under Anna Drive. Unfortunately, the contours of the lot prevent directing the new runoff into that drainageway. Instead, we propose building a gravel swale along the front of the lot, to channel the water along the north side of the (gravel) access road. This swale will cross in front of the existing driveway for the neighbor to the west, and enter into the existing drainage ditch along that side of the road, which channels drainage into a culvert and the Sitka storm drain system.

According to calculations by the EPA's SWMM program, the 10-year, 24-hour storm will generate a peak of 2.27 CFS of runoff. Using Manning's equation for a 'trapezoidal' channel, actually a V-shape with 2:1 side slopes and modeled as lined with gravel, a swale 6" deep will have the capacity to channel 31.0 CFS. This is sufficient to direct the flow from this property.

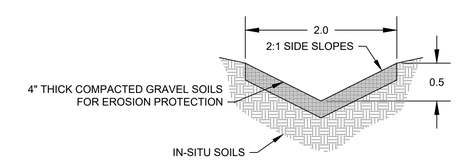
Please refer to the attached plan and program printouts. Please contact me with any questions.

Sincerely,

Benjamin Schiller, PE



EXISTING CULVERT



GRAVEL SWALE

NO SCALE

MILLER SUBDIVISION GRADING PLAN

SCALE: 1"=20'

0 20 40 60 80

SCALE: 1" = 20'

VERIFY SCALE

THIS BAR REPRESENTS ONE INCH ON ORIGINAL DRAWING.

0" 1"

IF BAR IS NOT ONE INCH, ADJUST DRAWING SCALE ACCORDINGLY.

DAN FALVEY
315 Seward St, Suite B
Sitka, AK 99835
907-747-6274

OWNER

FORGE ENGINEERING
PO BOX 2201
SITKA, AK 99835
907-522-7773

CONSULTANT

STATE OF ALASKA 49TH
Benjamin Schiller
CE 12592
Aug 02, 2019
REGISTERED PROFESSIONAL ENGINEER

SEAL

MILLER SUBDIVISION, LOTS 1--2

GRADING AND DRAINAGE PLAN

HORZ SCALE: 1"=20'
VERT SCALE: N/A
DATE: 7-30-2019
GRID: _____
PERMIT #
SHEET C1

```
S U M M A R Y   S T A T I S T I C S
===================================
Object  ............. System
Variable ............ Runoff  (CFS)
Event Period ......... Variable
Event Statistic ...... Peak  (CFS)
Event Threshold ...... Runoff > 0.0000  (CFS)
Event Threshold ...... Event Volume > 0.0000 (ft3)
Event Threshold ...... Separation Time >= 6.0  (hr)
Period of Record ..... 04/20/2013 to 04/21/2013

Number of Events ..... 1
Event Frequency*...... 0.233
Minimum Value ........ 2.265
Maximum Value ........ 2.265
Mean Value ........... 2.265
Std. Deviation ....... 0.000
Skewness Coeff. ...... 0.000

*Fraction of all reporting periods belonging to an event.
```

Free Online Manning Formula Trapezoidal Channel Calculator

>> Drop your fears at the door; love is spoken here. <<

Manning Formula Uniform Trapezoidal Channel Flow at Given Slope and Depth

Can you help me translate, program, or host these calculators? (../contact.php) [Hide this request]

Miller Subdivision

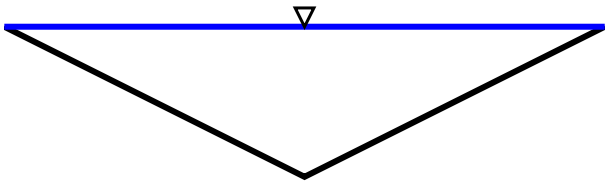
Gravel Swale

Set units: m mm ft in

Bottom width	0 ft
Side slope 1 (horiz./vert.)	2
Side slope 2 (horiz./vert.)	2
Manning roughness, n ? (http://www.engineeringtoolbox.com/mannings-roughness-d_799.html)	0.025
Channel slope	8 rise/run
Flow depth	.5 ft
Bend Angle? (/riprap-bend-angle.png) (for riprap sizing)	
Stone specific gravity (2.65)	

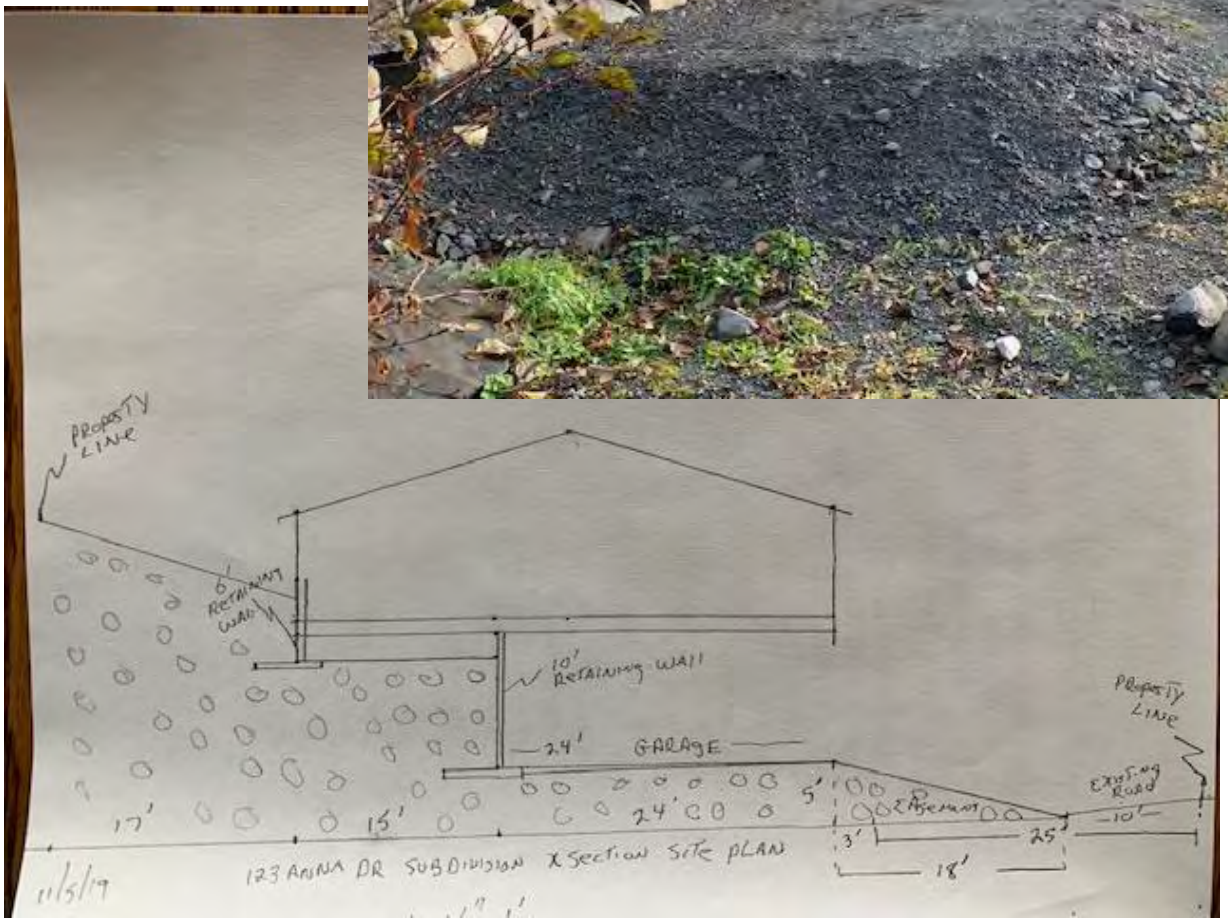
Results

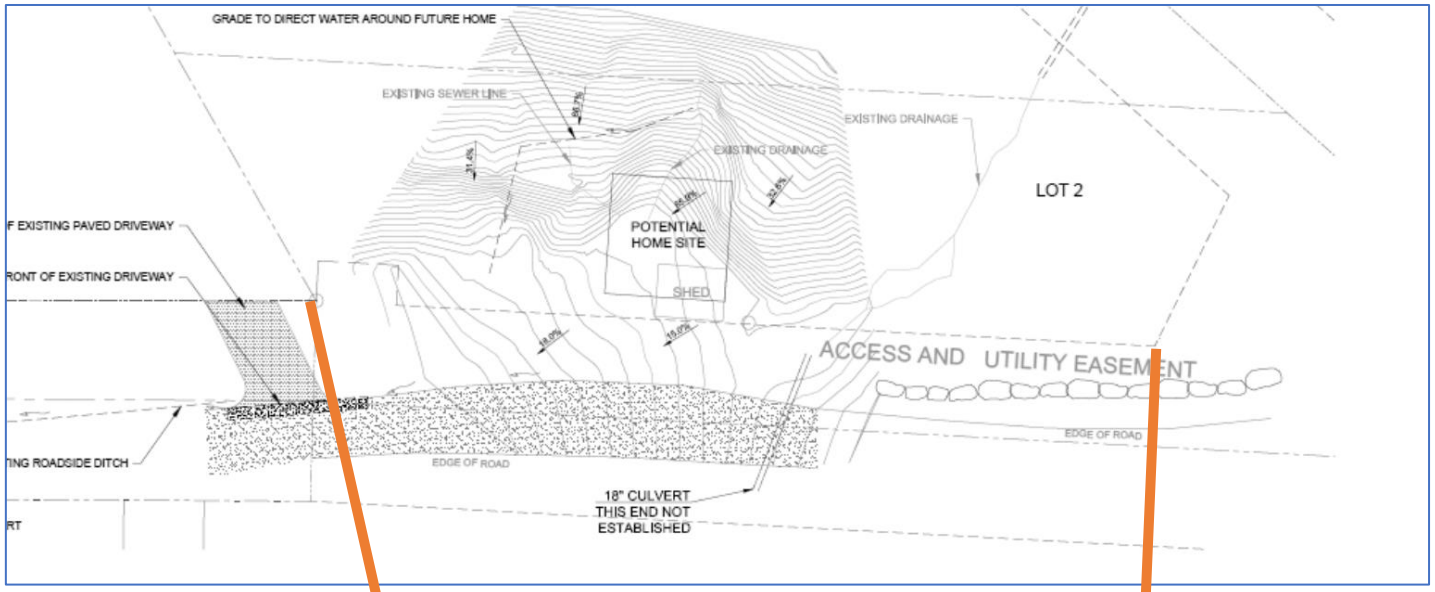
Flow area	0.50	ft^2
Wetted perimeter	2.24	ft
Hydraulic radius	0.22	ft
Velocity, v	61.93	ft/sec
Flow, Q	30.97	cfs
Velocity head, h_v	59.61	ft
Top width, T	2.00	ft
Froude number, F	62.01	
Shear stress (tractive force), tau	111.69	psf
Implied design ? riprap size based on n	0.07	ft
Required bottom angular riprap size, D50, Maricopa County	NaN	ft
Required side slope 1 angular riprap size, D50, Maricopa County	NaN	ft
Required side slope 2 angular riprap size, D50, Maricopa County	NaN	ft
Required angular riprap size, D50, per Maynord, Ruff, and Abt (1989)	NaN	ft
Required angular riprap size, D50, per Searcy (1967)	25.72	ft

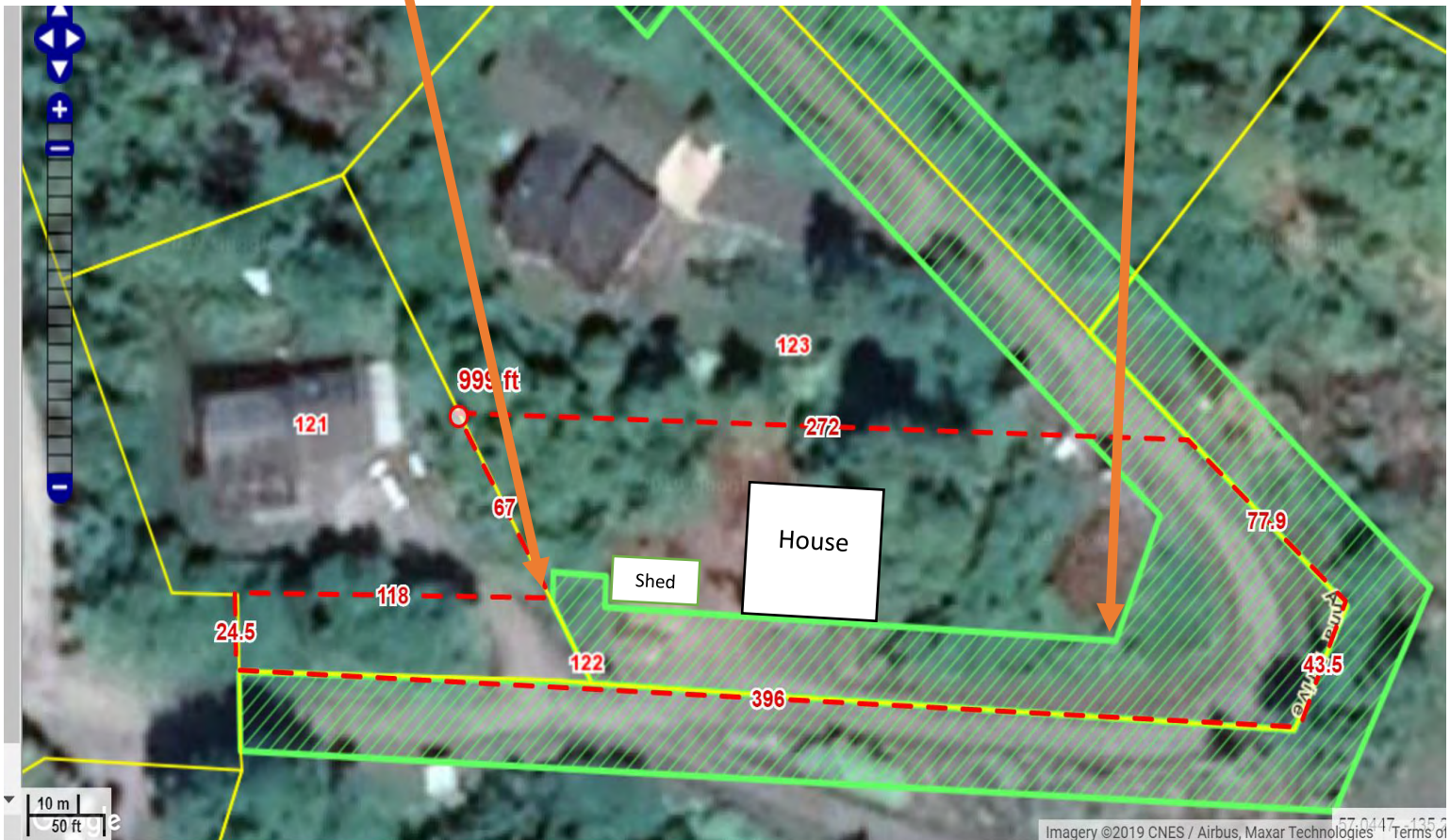


Please give us your valued words of suggestion or praise. Did this free calculator exceed your expectations in every way? (../contact.php) [Hide this request]

123
House
Shed
Imagery ©2019 CNES


PROPERTY LINE
RETAINING WALL
10' RETAINING WALL
24'
GARAGE
5'
24' CO
17'
15'
3'
25'
18'
PROPERTY LINE
EXISTING ROAD
10'
11/5/19
123 ANNA DR SUBDIVISION X SECTION SITE PLAN


GRADE TO DIRECT WATER AROUND FUTURE HOME
EXISTING SEWER LINE
EXISTING DRAINAGE
EXISTING DRAINAGE
LOT 2
POTENTIAL HOME SITE
SHED
F EXISTING PAVED DRIVEWAY
RONT OF EXISTING DRIVEWAY
ACCESS AND UTILITY EASEMENT
EDGE OF ROAD
EDGE OF ROAD
ING ROADSIDE DITCH
18" CULVERT THIS END NOT ESTABLISHED
RT


999 ft
123
121
272
67
House
Shed
77.9
118
24.5
122
396
43.5
10 m
50 ft
Imagery ©2019 CNES / Airbus, Maxar Technologies

2/13/2019

123 Anna Dr. Additional Comments

We are applying to sub-divide our lot at 123 Anna Dr. to create a separate residential lot. The subdivision would be for a 28,000 sq ft lot that includes the corner and the southern portion of our land. Our current lot is approximately 59,000 sqft in size. The proposed subdivision will result in one new lot approximately 28,000 sqft in size and the existing lot would be reduced to approximately 31,000 sqft. The new lot size, net access easements, would be approximately 13,000 sqft. Since Anna Dr. is zoned R-2, we could technically build a second dwelling there without a subdivision, however as the proposed new lot would extend to the city maintained part of Anna Dr., a subdivision is possible and gives us more flexibility as we explore future plans.

The existing private road and utility infrastructure is adequate for a new dwelling. We are also proposing a new 10' wide utility easement on the new lot to allow access to the sewer line for our current house which crosses the proposed new lot. Anna Dr. is a private road with a Road Maintenance Agreement requiring shared expenses for road maintenance. We plan to do some basic road surface and drainage upgrades as part of the new lot development at our expense. After that the new lot would become part of Anna Dr.'s Road Maintenance Agreement and share expenses, thus reducing expenses for the neighbors.

There is precedence for iterative subdivision of this neighborhood over time. In 1992 the "Todd" subdivision was allowed to create a separate lot at 121 Anna Dr. In 1993, the "Miller Subdivision" was allowed to create a 4 lot minor subdivision which includes our current lot. In 1998 the plat was further amended to create the "Tracy" subdivision establishing a new lot at 122 Anna Dr. I understand the permitting of the "Tracy" subdivision considered the fact that the new lot would adjoin the lower portion of Anna Dr. which is a public road. This is similar to our proposal.

We have reached out to our neighbors and are willing to work with them to address any concerns related to this proposed subdivision.

Thank you for your consideration of our proposal,

Dan Falvey and Kathy O'Gara

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

RECEIVED FEB 01 2019

- **Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.**
- **Review guidelines and procedural information.**
- **Fill form out completely. No request will be considered without a completed form.**
- **Submit all supporting documents and proof of payment.**

APPLICATION FOR: [X] VARIANCE [ ] CONDITIONAL USE [ ] ZONING AMENDMENT [X] PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Subdivide 123 ANNA DR To CREATE A New 26,000 FT² LOT For RESIDENTAL CONSTRUCTION.

PROPERTY INFORMATION:

CURRENT ZONING: R-2 PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): _____ PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: DANIEL FALVEY & KATHLEEN O'GARA

PROPERTY OWNER ADDRESS: 123 ANNA DR. SITKA

STREET ADDRESS OF PROPERTY: 123 ANNA DR.

APPLICANT'S NAME: DANIEL FALVEY

MAILING ADDRESS: 123 ANNA DR. SITKA

EMAIL ADDRESS: FALVEYAK@GMAIL.COM DAYTIME PHONE: 907-738-8710

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: 3 BLOCK: _____ TRACT: MILLER SUBDIVISION

SUBDIVISION: _____ US SURVEY: _____

FALVEY		123 ANNA DR.
Last Name	Date Submitted	Project Address

REQUIRED INFORMATION:

For All Applications:

- [x] Completed General Application form
- [x] Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- [x] Site Plan showing all existing and proposed structures with dimensions and location of utilities
- NA [x] Floor Plan for all structures and showing use of those structures
- [ ] Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- [ ] Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- [ ] Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- [ ] Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- [ ] AMCO Application

For Short-Term Rentals and B&Bs:

- [ ] Renter Informational Handout (directions to rental, garbage instructions, etc.)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Owner _____ Date 2/1/19

Owner _____ Date _____

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Applicant (If different than owner) _____ Date _____

Last Name _____ Date Submitted _____ Project Address _____

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
PLAT APPLICATION

APPLICATION FOR

- [ ] MAJOR SUBDIVISION/PLANNED UNIT DEVELOPMENT
- [x] MINOR SUBDIVISION/HYBRID SUBDIVISION
- [ ] SUBDIVISION REPLAT/LOT MERGER/EASEMENT AMENDMENT
- [ ] BOUNDARY LINE ADJUSTMENT

ANALYSIS: ***(Please address each item in regard to your proposal)***

- **SITE/DIMENSIONS/TOPOGRAPHY:** The proposed subdivision of 123 Anna Dr.would result in a new lot approximately 28,000 sqft in size and reduce the existing lot to approximatelly 31,000 sqft. The new lot size net access easements is approximately 13,000 sqft.
- **EXISTING UTILITIES AND UTILITY ROUTES:** The City maintained utilites on Anna Dr. are adequate to support an additional lot.
- **PROPOSED UTILITIES AND UTILITY ROUTES:** The west end of the new lot would provide to City Utilities. Routing to the building site would be on the new lot.
- **ACCESS, ROADS, TRANSPORTATION, AND MOBILITY:** The private road on Anna Dr. is adequate for one additional lot. THe new lot would be added to the Anna Dr Road Maintenance Agreement and share expenses.
- **IMPACT OF PROPOSAL ON ANY EXISTING EASEMENTS:** The existing acccess easement for the 4miller subdivision lots would be maintained.
- **PUBLIC HEALTH, SAFETY, AND WELFARE:** N/A
- **ACCESS TO LIGHT AND AIR:** N/A

FALVEY

Last Name | Date Submitted | Project Address

- **ORDERLY AND EFFICIENT LAYOUT AND DEVELOPMENT:** The lot is efficiently shaped and can accomodate residential development.

- **DESCRIBE ALL EXISTING STRUCTURES, THEIR USE, AND PROXIMITY TO PROPOSED PROPERTY LINES:** The current residence on the existing lot is a 4 bedroom house with an attached 2 bedroom apartment. The sout corner of the existing house would be approximately 25' from the North boundary of the new lot. There is an existing foundation for a garage on the new lot There is also a 200 sqft shead on the proposed lot that would be sold with the lot.

- **EXISTENCE OF ANY ENCROACHMENTS:** N/A

- **AVAILABILITY OF REQUIRED PARKING:** The new lot is adequately sized for parking needs.

- **SUMMARY OF PROPOSED EASEMENT AGREEMENTS OR COVENANTS:** In addition to the Anna Dr. Road Maintenance Agreement, an addditional easement to Accommodate the sewer line of the existing house will be created.

ANY ADDITIONAL COMMENTS See attached.

Daniel Falvey & Kathy O'Gara
Applicant

2/14/2019
Date

Last Name | Date Submitted | Project Address

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Case No:	P 19-03
Proposal:	Final plat – minor subdivision to result in 2 lots
Applicant:	Sitka Community Land Trust
Owner:	Sitka Community Land Trust
Location:	1306 Halibut Point Road
Legal Desc.:	Lot 1A Little Critter Subdivision
Zone:	R-2 multifamily residential district
Size:	Existing: 34,269 square feet
	Proposed: Lot 1A – 28,266 square feet, Lot 1C – 6,003 square feet
Parcel ID:	1-4707-001
Existing Use:	Undeveloped
Adjacent Use:	Residential, Commercial, Undeveloped
Utilities:	Edgecumbe Drive and Kostrometinoff Street, utility easement
Access:	Kostrometinoff Street, access easement

KEY POINTS AND CONCERNS:

- Conceptual proposal approved by the Commission at their May 1, 2019 meeting. Preliminary plat approval granted at the September 18, 2019 meeting.
- Lot will meet new dimensional development standards
- Can only be accessed via an easement granted from surrounding property owner(s)
- Utilities provided by proposed easements
- Creation of new lot could facilitate additional opportunity for development

RECOMMENDATION: Approve the final plat of the minor subdivision of 1306 Halibut Point Road subject to the attached conditions of approval.

ATTACHMENTS:

Attachment A: Aerial Photo
Attachment B: Current Plat
Attachment C: Preliminary Plat
Attachment D: Applicant Materials

BACKGROUND:

On October 3, 2006, the community voted to sell 1306, 1410, and 1414 Halibut Point Road for the purpose of affordable housing development, not subject to competitive bid. On November 24, 2015, the Assembly voted to transfer 1306 Halibut Point Road to Sitka Community Development Corporation for the purpose of promoting permanently affordable home ownership by placing affordable homes on the market. The SCLT operates as a land trust, where private owners purchase homes but the land trust retains ownership of the land. Land is leased to homeowners on long term agreements. The applicant can describe their model in more detail.

The subdivision divided a 61,958 square foot lot into 7 residential lots and an unsubdivided remainder to be used for parking and community space. Of the unsubdivided portion, there is buildable land in the Eastern portion of the lot. However, the land is inaccessible from SCLT land due to topography. An access easement would have to be provided by 1213 Edgecumbe Drive, 1301 Edgecumbe Drive, or 1300 Halibut Point Road. Due to the location and topography, the land is impractical for SCLT to develop. Allowing the subdivision would allow SCLT to dispose of the land that they cannot develop and use the funds to further the affordable housing project. The subdivision also enables the development of buildable land (which would otherwise remain vacant) for residential use, adding to housing stock.

PROJECT DESCRIPTION:

The proposed minor subdivision is intended to divide Lot 1A of the Little Critter Subdivision into two parcels. The newly created parcel would meet the revised development standards, sized 6,003 square feet. The lot would provide buildable space for a residential dwelling unit after clearing and grading.

The proposal assumes a successful transaction agreement between SCLT and the property owner at 1301 Edgecumbe Drive, as the latter will provide access and utility easements. The proposed easements are depicted on the preliminary plat. Easement agreements shall be recorded for the new easement and all easement agreements shall be cited by plat note.

The West side of Kostrometinoff, though it is a right-of-way, has not been adopted by the city for maintenance as it was not developed to right-of-way standards. Staff recommends that as a condition of approval, the Commission require property owners, existing and potential, to establish a license with CBS to define terms and conditions for private use of the road along with a maintenance agreement between the property owners. Adjacent property owners have worked with Public Works and the Legal department to begin drafting this agreement.

Title 21

The purposes of the subdivision regulations are: to promote and protect the public, health, safety and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying. [1] These factors are analyzed in the below Analysis section.

[1] SGC Section 21.04.020

Development Standards

The minimum lot area for the R-2 District is currently 6,000 square feet, both resulting lots will meet these minimums.

ANALYSIS:

Site: Proposed lots to be Lot 1A – 28,266 square feet, Lot 1C – 6,003 square feet. Newly created lot will require easement(s) from neighboring lots to provide for adequate access.

Utilities: Utilities are available from Edgecumbe Drive via proposed easements. Easements and easement agreements will be designated on the plat. A plat note will state that the municipality shall be a party to all easements and no changes shall be made without municipal approval.

Access, Roads, Transportation, and Mobility: Applicant will work with neighboring lot to provide adequate access to the lot and has worked with CBS staff to develop required driveway permits.

Public, Health, Safety and Welfare: Locations for utilities are planned via proposed platted easements. A condition of approval requires all utility installations to undertake the required permitting processes. Conceptual/preliminary plat has been reviewed by CBS development review committee to discuss any health/safety/welfare concerns, no issues have yet been raised. The fire department has been consulted; Chief Miller confirmed that access to this lot would not be an issue. Applicant will continue to work with CBS staff to address any future concerns that may arise from further review.

Orderly and Efficient Layout and Development: Due to the topography of the surrounding area, the proposed lot is inaccessible from SCLT land and therefore impractical for SCLT development. Allowing the subdivision affords the opportunity to transfer ownership of the lot to a party with the ability and access to develop it.

COMPREHENSIVE PLAN

The proposed minor subdivision is consistent with Comprehensive Plan Housing goal H1.1e "Encourage higher density development."

RECOMMENDED MOTION

I move to approve the final plat for a minor subdivision at 1306 Halibut Point Road in the R-2 zoning district subject to the listed conditions of approval. The property is also known as Lot 1A, Little Critter Subdivision. The applicant is the Sitka Community Land Trust. The owner of record is the Sitka Community Land Trust.

Conditions of Approval.

1) All utilities, including water, sewer, and electricity shall be required to have an approved permit from the municipality; and all utility permits and design shall comply with all applicable code and design polices including, but not limited to 15.04.100, 15.04.110, 15.04.240, and 15.04.250.
2) This subdivision development and the plat, prior to recording, complies with all applicable Sitka General Code.
3) All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.
4) Easements and easement maintenance agreements for the proposed access and utility easements on 1301 Edgecumbe Drive shall be developed and recorded before final plat recording.
5) All easement agreements will be cited via plat notes.
6) The applicant will work with the property owners of 1213 and 1301 Edgecumbe Drive to establish a license with CBS to define terms and conditions for private use of the right-of-way (the West end of Kostrometinoff) with a maintenance agreement between the property owners.
7) The applicant will work with CBS to address concerns or issues that may result from review of the subdivision and development plans.

I move to find that:

1) The final plat meets its burden of proof as to access, utilities, and dimensions as proposed;
2) The proposed minor subdivision final plat complies with the Comprehensive Plan Section on Housing by "expanding the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods"; and housing goal H1.1e to "encourage higher density development."
3) The proposed minor subdivision final plat complies with the subdivision code; and
4) The minor subdivision final plat is not injurious to the public health, safety, and welfare and further that the proposed plat notes and conditions of approval protect the harmony of use and the public's health, safety and welfare.

Nexal Street
Davidoff Street
Mills Street
Edgecumbe Drive
Kostromitinoff Street
Halibut Point Road
Kashevaroff Street
1503
1501
1502
1500
1419
1421
1417
1415
1418
1416
1414
1413
1411
1409
1410
1407
1405
1403
1401
214
207
209
1311
1309
1307
1305
1303
1301
1334
1330
1322
1326
1318
1310
1306
1300
1315
1221
1217
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1211
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1308
1306
1304
1302
1300
307
1210
1208
1206
1204
1202
1211
1209
1207
1205
1203
1201
1213
1212
1210
1208
1206
1204
1202
1113
Google
Imagery ©2019 CNES / Airbus, Maxar Technologies | Terms of Use | Report a map error

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

7/10/18 — Mim McConnell
DATE — OWNER (SIGNATURE)

7/10/18 — Victoria Posburg
7/10/18 — Burgess Bauder
DATE — OWNER (SIGNATURE)

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 10th DAY OF July, 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Mim McConnell Ex. Director, Victoria Posburg, Burgess Bauder TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND they ACKNOWLEDGED TO ME THAT they SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES 7-31-18

STATE OF ALASKA
NOTARY PUBLIC
Janet Norman
My Commission Expires Jul 31, 2018

Janet Norman
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE STATE OF ALASKA (FIRST JUDICIAL DISTRICT)

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BOROUGH OF SITKA, IN THE NAME OF _____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 2018 WILL BE DUE ON OR BEFORE AUGUST 31, 2018 DATED THIS 14th DAY OF June 2018.

Windy Lawrence
ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED _____ 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

6/27/18 — CHAIRMAN, PLATTING BOARD
DATE

Michael Sewell 6/27/18
SECRETARY

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED UNDER SERIAL NUMBER _____ DATED _____ 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

28 June 2018 — MAYOR
DATE

Sara Peterson
CITY AND BOROUGH CLERK

CITY AND BOROUGH OF SITKA

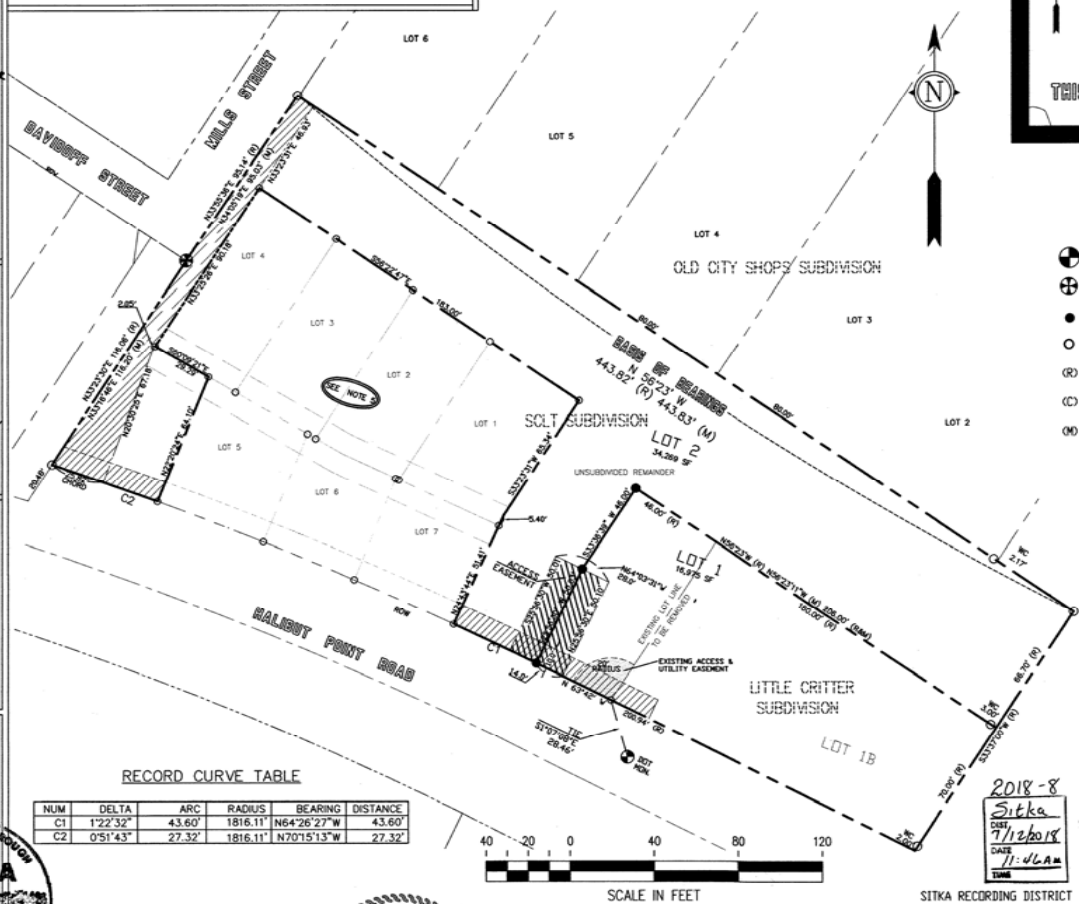
CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF: _____

(ALL OWNERS OF RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 27th DAY OF June 20 18, AT SITKA, ALASKA.

FINANCE DIRECTOR
CITY & BOROUGH OF SITKA



VICINITY MAP

SCALE 1"=1,000'

LEGEND

- PRIMARY CONTROL MONUMENT RECOVERED (BRASS CAP)
- BLM/GLO PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

NOTES

1.) THE PURPOSE OF THIS PLAT IS MOVE THE BOUNDARY LINE BETWEEN LOT 1B LITTLE CRITTER SUBDIVISION AND THE UNSUBDIVIDED REMAINDER OF THE SCLT SUBDIVISION, THUS INCREASING THE OVERALL SQUARE FOOTAGE OF LOT 1B LITTLE CRITTER SUBDIVISION BY 4,132 SF.

2.) THE MUNICIPALITY IS PARTY TO ALL EASEMENTS AND PLAT NOTES. THEY SHALL NOT BE MODIFIED WITHOUT APPROVAL OF THE PLATTING BOARD. THERE SHALL BE NO ENCROACHMENTS ON CITY ASSETS OR EASEMENTS.

3.) AN EASEMENT AGREEMENT FOR THE EXISTING ACCESS AND UTILITY EASEMENTS SERVICING LOT 1 IS RECORDED IN THE SITKA RECORDING DISTRICT UNDER SERIAL NO. 2010-001239-0.

4.) AN EASEMENT AGREEMENT FOR THE NEW ACCESS EASEMENT SERVICING BOTH LOTS 1 AND 2 IS RECORDED IN THE SITKA RECORDING DISTRICT UNDER SERIAL NO.: 2018-000709-0.

5.) SEE SCLT SUBDIVISION PLAT NO. 2018-1 FOR ALL INFORMATION PERTAINING TO LOTS 1-7 OF THE SCLT SUBDIVISION, THESE LOTS ARE NOT A PART OF THIS PLAT.

2018-8
Sitka
DIST.
7/12/2018
DATE
11:46AM
TIME

SITKA RECORDING DISTRICT

RECORD CURVE TABLE

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	1°22'32"	43.60'	1816.11'	N64°26'27"W	43.60'
C2	0°51'43"	27.32'	1816.11'	N70°15'13"W	27.32'

North land surveying 57*

(907) 747-6700 215-F SMITH STREET, SITKA, AK
MAILING ADDRESS - 2007 CASCADE CREEK ROAD, SITKA, AK 99835
EMAIL: north57landsurveying@yahoo.com

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

STATE OF ALASKA — 49TH — KELLY J. O'NEILL #LS 13321 — 6/7/18 — PROFESSIONAL LAND SURVEYOR

DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: KO
DATE OF PLAT: MAY 24, 2018
SCALE: 1" = 40'
DRAWING NAME: 40038-02
PROJECT NO. 40038-02

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN JAN. 2018 A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

June 7, 2018 — KELLY J. O'NEILL — LS13321
DATE

LITTLE CRITTER LLA

LOT 1B, LITTLE CRITTER SUBD. AND A POR. OF THE UNSUBDIVIDED REMAINDER OF SCLT SUBDIVISION (PLAT#2018-01)

CLIENT: SITKA COMMUNITY LAND TRUST

SHEET 1 OF 1

VICINITY MAP

SCALE 1"=1,000'

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____ OWNER _____ (SIGNATURE)

DATE _____ OWNER _____ (SIGNATURE)

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS_____DAY OF_____, 20_____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED_____

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND_____ ACKNOWLEDGED TO ME THAT_____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES_____.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE STATE OF ALASKA (FIRST JUDICIAL DISTRICT)

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BOROUGH OF SITKA, IN THE NAME OF_____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20_____ WILL BE DUE ON OR BEFORE AUGUST 31, 20_____ DATED THIS_____ DAY OF_____.

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED_____ 20_____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATTING BOARD

SECRETARY

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF: _____

(ALL OWNERS OF RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS ____ DAY OF _____
20 ____, AT SITKA, ALASKA.

FINANCE DIRECTOR
CITY & BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED UNDER SERIAL NUMBER _____ DATED_____ 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR _____

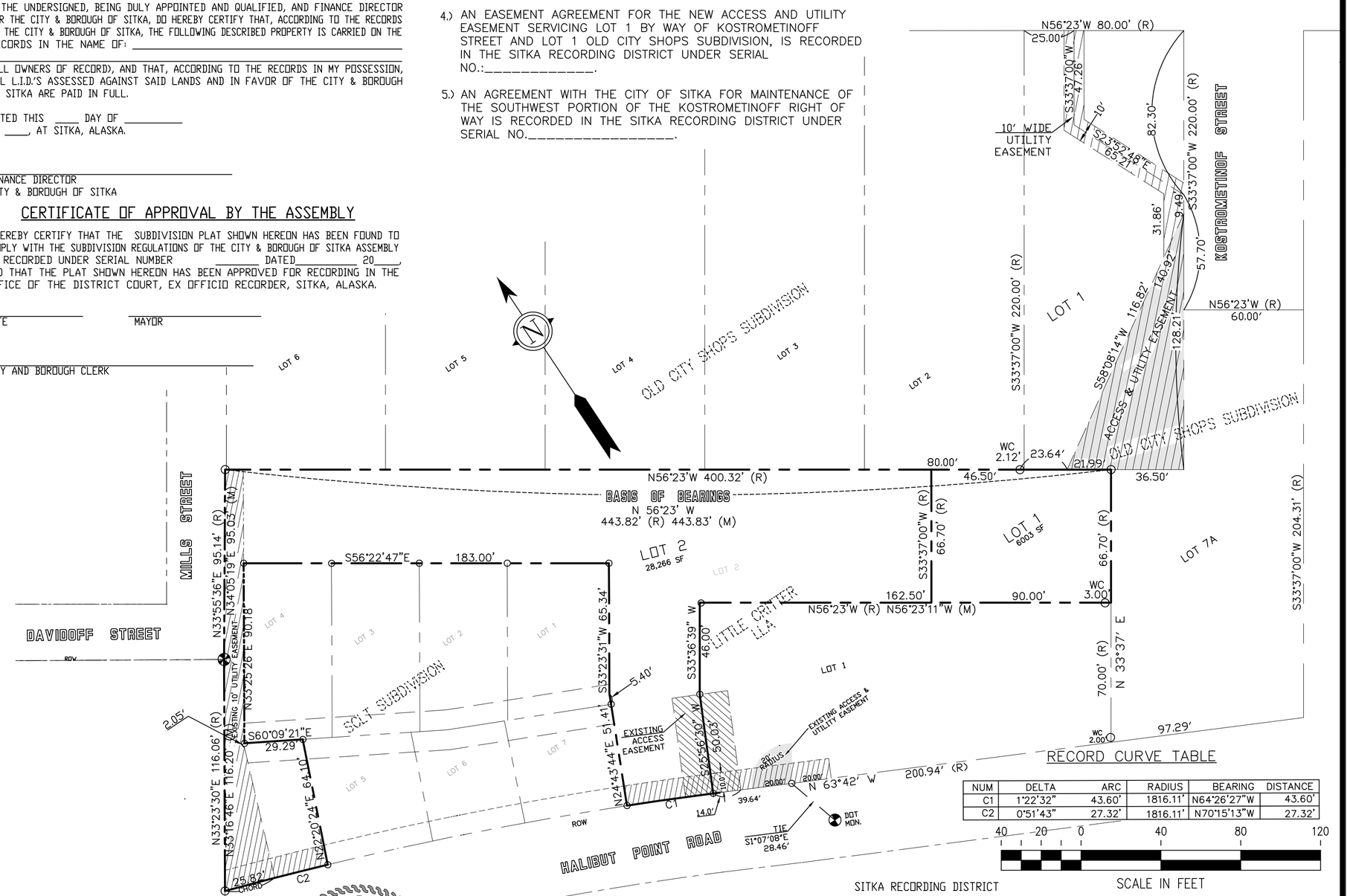
CITY AND BOROUGH CLERK _____

NOTES

1.) THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE A PORTION OF LOT 2 LITTLE CRITTER LLA CREATING ONE 6,000 SF LOT AND TO CREATE A NEW ACCESS EASEMENT THROUGH LOT 1 OLD CITY SHOPS SUBDIVISION.
2.) THE MUNICIPALITY IS PARTY TO ALL EASEMENTS AND PLAT NOTES. THEY SHALL NOT BE MODIFIED WITHOUT APPROVAL OF THE PLATTING BOARD. THERE SHALL BE NO ENCROACHMENTS ON CITY ASSETS OR EASEMENTS.
3.) AN EASEMENT AGREEMENT FOR THE NEW UTILITY EASEMENT SERVICING LOT 1 THROUGH LOT 1 OLD CITY SHOPS IS RECORDED IN THE SITKA RECORDING DISTRICT UNDER SERIAL NO. _____.
4.) AN EASEMENT AGREEMENT FOR THE NEW ACCESS AND UTILITY EASEMENT SERVICING LOT 1 BY WAY OF KOSTROMETINOFF STREET AND LOT 1 OLD CITY SHOPS SUBDIVISION, IS RECORDED IN THE SITKA RECORDING DISTRICT UNDER SERIAL NO.:_____.
5.) AN AGREEMENT WITH THE CITY OF SITKA FOR MAINTENANCE OF THE SOUTHWEST PORTION OF THE KOSTROMETINOFF RIGHT OF WAY IS RECORDED IN THE SITKA RECORDING DISTRICT UNDER SERIAL NO._____.

LEGEND

- PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA



SITKA RECORDING DISTRICT

RECORD CURVE TABLE

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	1°22'32"	43.60'	1816.11'	N64°26'27"W	43.60'
C2	0°51'43"	27.32'	1816.11'	N70°15'13"W	27.32'

NORTH 57
LAND SURVEYING
(907) 747-6700 215-F SMITH STREET, SITKA, AK
MAILING ADDRESS - 2007 CASCADE CREEK ROAD, SITKA, AK 99835
EMAIL: north57landsurveying@yahoo.com

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

STATE OF ALASKA 49TH KELLY J. O'NEILL #LS 13321 REGISTERED PROFESSIONAL LAND SURVEYOR

DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: KO
DATE OF PLAT: JAN. 06, 2019
SCALE: 1' = 40'
DRAWING NAME: 40038-03
PROJECT NO. 40038-03

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN JAN. 2018 A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE _____ KELLY J. O'NEILL LS13321

LITTLE CRITTER HIGHLANDS SUBDIVISION

A POR. OF LOT 2 LITTLE CRITTER LLA (PLAT#2018-08)

CLIENT: SITKA COMMUNITY LAND TRUST

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

- **Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.**
- **Review guidelines and procedural information.**
- **Fill form out completely. No request will be considered without a completed form.**
- **Submit all supporting documents and proof of payment.**

APPLICATION FOR: ☐ VARIANCE ☐ CONDITIONAL USE ☐ ZONING AMENDMENT ☑ PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: This application seeks to create a 6,000 sq ft lot from a larger parcel to enable a small house to be built on a site which the current owner, the Sitka Community Land Trust, has no feasible access.

PROPERTY INFORMATION:

CURRENT ZONING: R2 PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): residential PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: Sitka Community Land Trust

PROPERTY OWNER ADDRESS: 1306 HPR

STREET ADDRESS OF PROPERTY: _____

APPLICANT'S NAME: Randy Hughey for the Sitka Community Land Trust

MAILING ADDRESS: POB 6461

EMAIL ADDRESS: randywhughey@gmail.com DAYTIME PHONE: 738-2999

PROPERTY LEGAL DESCRIPTION:

TAX ID: 1-4707-001 LOT: 1A BLOCK: _____ TRACT: _____

SUBDIVISION: Little Critter US SURVEY: _____

Last Name Date Submitted Project Address

REQUIRED INFORMATION:

For All Applications:

- [x] Completed General Application form
- [x] Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- [ ] Site Plan showing all existing and proposed structures with dimensions and location of utilities
- [ ] Floor Plan for all structures and showing use of those structures
- [ ] Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- [ ] Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- [ ] Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- [ ] Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- [ ] AMCO Application

For Short-Term Rentals and B&Bs:

- [ ] Renter Informational Handout (directions to rental, garbage instructions, etc.)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

for SCLT — Apr 22, 2019

Owner — Date

Owner — Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Applicant (If different than owner) — Date

Last Name — Date Submitted — Project Address

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
PLAT APPLICATION

APPLICATION FOR

- [ ] MAJOR SUBDIVISION/PLANNED UNIT DEVELOPMENT
- [x] MINOR SUBDIVISION/HYBRID SUBDIVISION
- [x] SUBDIVISION REPLAT/LOT MERGER/EASEMENT AMENDMENT
- [ ] BOUNDARY LINE ADJUSTMENT

ANALYSIS: ***(Please address each item in regard to your proposal)***

- **SITE/DIMENSIONS/TOPOGRAPHY:** This application seeks to create a 6,000 sq ft lot from a larger parcel, sell that lot, and enable a small house to be built on a site which the current owner, the Sitka Community Land Trust, has no feasible access.

- **EXISTING UTILITIES AND UTILITY ROUTES:** utilities can be delivered to the site via the Kostrometinoff St extention then through an easement to be established through 1301 Edgecumbe Drive

- **PROPOSED UTILITIES AND UTILITY ROUTES:** Utilities can be delivered to the site via the Kostrometinoff St extention then through an easement to be established through 1301 Edgecumbe Drive

- **ACCESS, ROADS, TRANSPORTATION, AND MOBILITY:** same as above

- **IMPACT OF PROPOSAL ON ANY EXISTING EASEMENTS:** None that we are aware of

- **PUBLIC HEALTH, SAFETY, AND WELFARE:** Its all good.

- **ACCESS TO LIGHT AND AIR:** The new lot will have excellent light and air and will not infringe on the qualities of the adjascent properties.

Last Name | Date Submitted | Project Address

- **ORDERLY AND EFFICIENT LAYOUT AND DEVELOPMENT:** The use of this parcel for a small house is orderly and efficient. It is a good and beneficial use of the land.

- **DESCRIBE ALL EXISTING STRUCTURES, THEIR USE, AND PROXIMITY TO PROPOSED PROPERTY LINES:** As the site map shows, there are houses surrounding the site on large lots at more than adequate distances from the future location of a small house.

- **EXISTENCE OF ANY ENCROACHMENTS:**

- **AVAILABILITY OF REQUIRED PARKING:** Parking will meet city standards.

- **SUMMARY OF PROPOSED EASEMENT AGREEMENTS OR COVENANTS:** Robert Woolsey will develop and record driveway, utility, and parking easements on his property at 1301 Edgecumbe Drive which will allow for building a small home on this parcel on 1306 HPR

ANY ADDITIONAL COMMENTS

Randy Hughey for the Sitka Community Land Trust
Applicant

April 22, 2019
Date

Last Name | Date Submitted | Project Address

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Memorandum

To: Chair Spivey and Planning Commission

From: Amy Ainslie, Director, Planning and Community Development

Subject: **Platting Variance for Platting Action 19-08**

Date: January 9, 2020

P 19-08 is a platting action to create a hybrid minor subdivision resulting in five lots at 2370 Halibut Point Road. The Commission previously considered the preliminary plat at the December 18, 2019 meeting. It was identified in the staff report that as more than 4 lots would be connecting to a private utility system, the applicant would need to obtain a platting variance. The code reference for this requirement is sited in SGC 21.40.030B which states "…No more than four lots shall be served by private utility easements", and the five-lot hybrid minor subdivision proposal exceeds this limitation.

The applicant, Michael Tisher, has worked diligently with City staff as well as other regulatory agencies such as DEC to ensure that the utility infrastructure will be more than adequate for the proposed residential demand. Mr. Tisher has planned for an 8" sewer line which is City standard for a major subdivision. Mr. Tisher has also incurred the expense of installing buried electric lines to the area. Water is available from Kramer Avenue. Easements have been developed to provide for all these services.

SGC 21.48.010 Requirements for Platting Variances
A variance from the requirements of this title may be granted only if the planning commission finds that:

A. The granting of the platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property.
B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property.

Tying into the private utility system is the most plausible means of developing the area. The lot is not suited to a large right-of-way through which to extend public facilities – the topographic challenges alone would make this extremely difficult. Further, municipal resources are limited; the expansion of utility systems for private residential development have not been budgeted or prioritized. Building and platting rights-of-way as required for a major subdivision in this area would be cost and space prohibitive, making the development of the land far less feasible.

Due to these considerations, staff finds that the granting of this platting variance will not be detrimental to public safety, welfare, or be injurious to adjacent property owners and in fact better enables development of vacant adjacent properties. Staff finds that the halt of municipal development in the area warrants special consideration, and that strict application of the limitations for connections to private utilities would result in an undue burden. The request is also consistent with Comprehensive Plan housing goals to "expand the range, affordability, and quality of housing Sitka while maintaining attractive, livable neighborhoods."

Attachments:
Attachment A: Preliminary Plat
Attachment B: Applicant Materials

Recommended Motions:

1. "I move to approve the platting variance to connect more than four properties to a private utility system at 2370 Halibut Point Road in the R-1 MH single-family, duplex, and manufactured home district. The properties are also known as Lot 1 Oceanview Ridge Subdivision and Lot 4 West Woodbury Subdivision. The request is filed by Michael Tisher. The owners of record are Glenda and Michael Tisher."
2. "I move to adopt the required findings for platting variances."
    A. The granting of the platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property.
    B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property.

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____ OWNER _____ (SIGNATURE)

DATE _____ OWNER _____ (SIGNATURE)

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS_____DAY OF_____, 20_____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED_____

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND_____ ACKNOWLEDGED TO ME THAT_____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.
WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES_____.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE OF PAYMENT OF TAXES (STATE OF ALASKA) (FIRST JUDICIAL DISTRICT)

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BOROUGH OF SITKA, IN THE NAME OF_____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20_____ WILL BE DUE ON OR BEFORE AUGUST 31, 20_____ DATED THIS_____ DAY OF_____.

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED_____ 20_____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATTING BOARD

SECRETARY

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK_____ PAGE_____ DATED_____ 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR

CITY AND BOROUGH CLERK

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF: _____

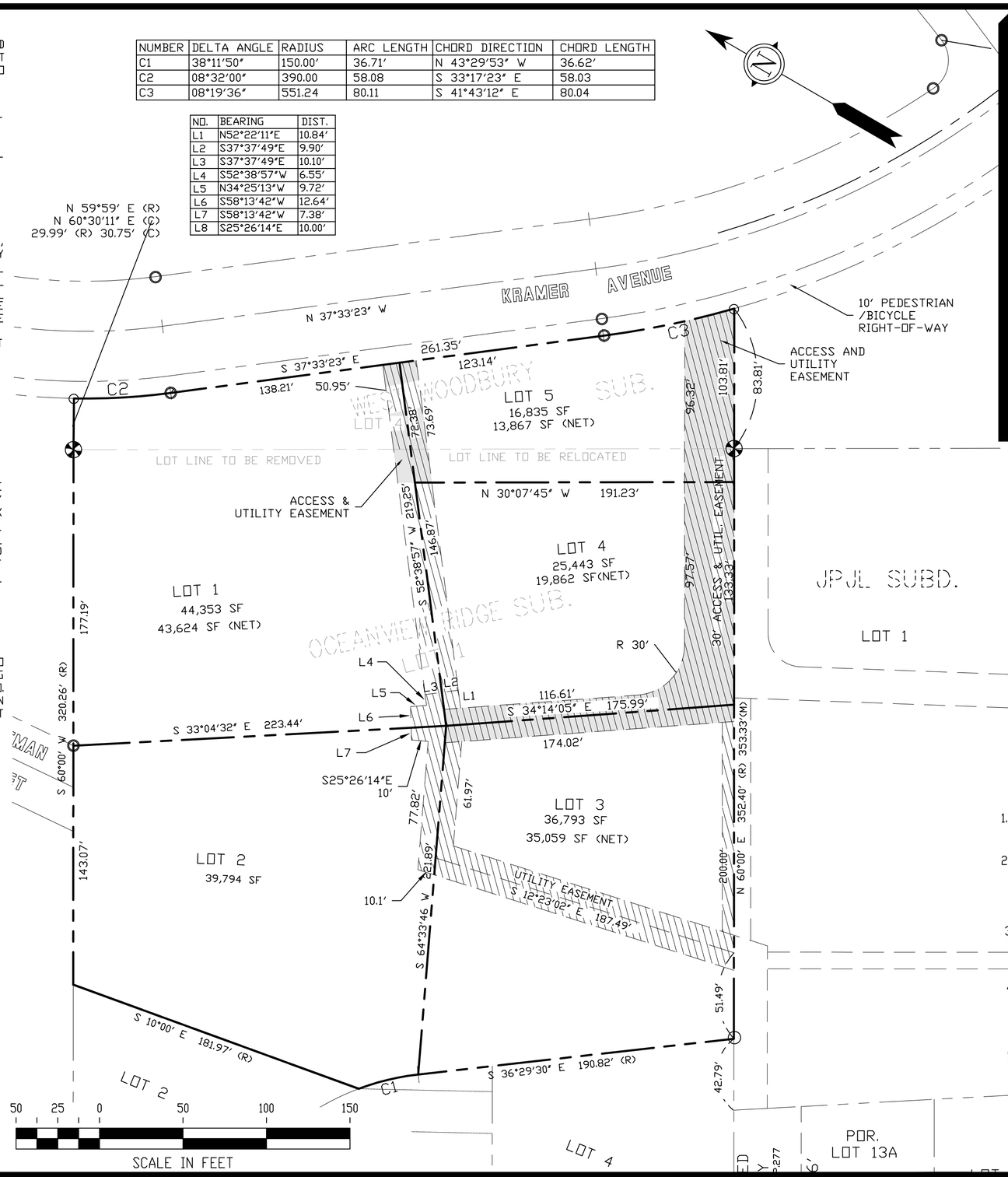
(ALL OWNERS OF RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

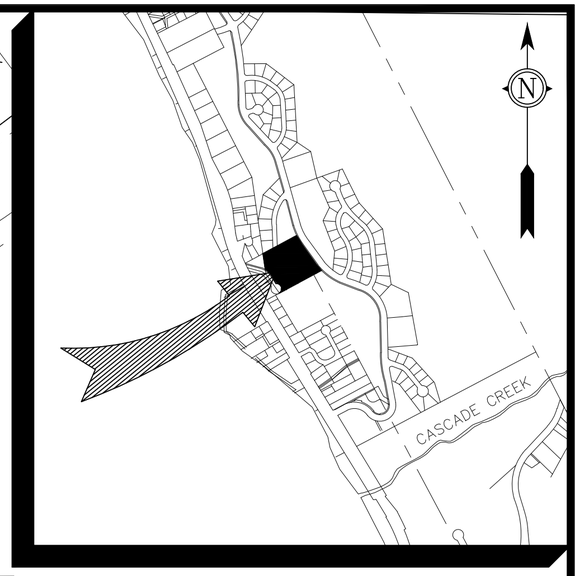
DATED THIS ____ DAY OF _____
20 ____, AT SITKA, ALASKA.

FINANCE DIRECTOR CITY & BOROUGH OF SITKA

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	38°11'50"	150.00'	36.71'	N 43°29'53" W	36.62'
C2	08°32'00"	390.00	58.08	S 33°17'23" E	58.03
C3	08°19'36"	551.24	80.11	S 41°43'12" E	80.04

NO.	BEARING	DIST.
L1	N52°22'11"E	10.84'
L2	S37°37'49"E	9.90'
L3	S37°37'49"E	10.10'
L4	S52°38'57"W	6.55'
L5	N34°25'13"W	9.72'
L6	S58°13'42"W	12.64'
L7	S58°13'42"W	7.38'
L8	S25°26'14"E	10.00'





VICINITY MAP

SCALE 1"=1,000'

LEGEND

- PRIMARY CONTROL MONUMENT RECOVERED (BRASS CAP)
- BLM/GLO PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- ORIGINAL WHITCOMB HTS. MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

NOTES

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 1 OF THE OCEAN VIEW RIDGE SUBDIVISION AND LOT 4 WEST WOODBURY SUBDIVISION INTO 5 LOTS.
2. THE MUNICIPALITY IS PARTY TO ALL EASEMENTS AND PLAT NOTES. THEY SHALL NOT BE MODIFIED WITHOUT APPROVAL OF THE PLATTING BOARD. THERE SHALL BE NO ENCROACHMENTS ON CITY ASSETS OR EASEMENTS.
3. A MAINTENANCE AGREEMENT FOR THE ACCESS AND UTILITY EASEMENT ON LOT 1 IS FILED IN THE SITKA RECORDING DISTRICT OFFICE UNDER SERIAL NO._____.
4. A MAINTENANCE AGREEMENT FOR THE ACCESS AND UTILITY EASEMENT ON LOT 5 IS FILED IN THE SITKA RECORDING DISTRICT OFFICE UNDER SERIAL NO. _____.
5. A MAINTENANCE AGREEMENT FOR THE ACCESS AND UTILITY EASEMENT ON LOT 4 IS FILED IN THE SITKA RECORDING DISTRICT OFFICE UNDER SERIAL NO. _____.
6. A MAINTENANCE AGREEMENT FOR THE ACCESS AND UTILITY EASEMENT ON LOT 3 OF THIS SUBDIVISION IS FILED IN THE SITKA RECORDING DISTRICT OFFICE UNDER SERIAL NO. _____.

SITKA RECORDING DISTRICT

NORTH 57
LAND SURVEYING
(907) 747-6700 2007 CASCADE CREEK ROAD, SITKA, AK 99835

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

STATE OF ALASKA 49TH KELLY O'NEILL #LS 13321 REGISTERED PROFESSIONAL LAND SURVEYOR

DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: KO
DATE OF PLAT: Nov. 26, 2019
SCALE: 1" 50'
DRAWING NAME: 40036-03
PROJECT NO. 40036-03

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN _____, A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE _____ KELLY O'NEILL _____ LS 13321

TISHER SUBDIVISION

LOT 1 OCEANVIEW RIDGE SUBD. AND LOT 4 WEST WOODBURY SUBDIVISION

CLIENT: MICK TISHER

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

- **Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.**
- **Review guidelines and procedural information.**
- **Fill form out completely. No request will be considered without a completed form.**
- **Submit all supporting documents and proof of payment.**

APPLICATION FOR:

- [ ] VARIANCE
- [ ] CONDITIONAL USE
- [ ] ZONING AMENDMENT
- [x] PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: A hybrid subdivision creating 5 lots out of what was 2 lots.

PROPERTY INFORMATION:

CURRENT ZONING: R-1MH PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): Residential PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: Michael J. Tisher

PROPERTY OWNER ADDRESS: 304 Wortman Loop

STREET ADDRESS OF PROPERTY: 2370 HPR and Kramer Avenue

APPLICANT'S NAME: North 57 Land Surveying

MAILING ADDRESS: 2007 Cascade Cr. Rd.

EMAIL ADDRESS: mjtisher@yahoo.com DAYTIME PHONE: 907-738-2439

jhirai@north57ls.com

PROPERTY LEGAL DESCRIPTION:

TAX ID: 25210000&25210010 LOT: 1 &4 BLOCK: _____ TRACT: _____

SUBDIVISION: Lot 1 Oceanview Ridge Subd. & lot 4 West Woodbury Subd. US SURVEY: _____

Last Name Date Submitted Project Address

REQUIRED INFORMATION:

For All Applications:

- [x] Completed General Application form
- [x] Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- [N/A] Site Plan showing all existing and proposed structures with dimensions and location of utilities
- [N/A] Floor Plan for all structures and showing use of those structures
- [x] Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- [x] Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- [N/A] Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- [ ] Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- [ ] AMCO Application

For Short-Term Rentals and B&Bs:

- [ ] Renter Informational Handout (directions to rental, garbage instructions, etc.)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Michael Fisher — 12/2/2019
Owner — Date

G Fisher — 12/2/2019
Owner — Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Jim Hill North 57 Land Surveying — 11-26-19
Applicant (If different than owner) — Date

Last Name — Date Submitted — Project Address

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
VARIANCE

APPLICATION FOR

- [ ] ZONING VARIANCE – MINOR EXPANSIONS, SMALL STRUCTURES, FENCES, SIGNS
- [ ] ZONING VARIANCE – MAJOR STRUCTURES OR EXPANSIONS
- [x] PLATTING VARIANCE – WHEN SUBDIVIDING

RATIONALE **- Alaska Statute 29.40.040(b)3 states that a variance may not be granted solely to relieve financial hardship or inconvenience. Explain why a variance is required for your project.**

Required for Utilities in new subdivision servicing more than 4 lots.

POTENTIAL IMPACTS ***(Please address each item in regard to your proposal)***

- **TRAFFIC** _____
- **PARKING** _____
- **NOISE** _____
- **PUBLIC HEALTH AND SAFETY** _____
- **HABITAT** _____
- **PROPERTY VALUE/NEIGHBORHOOD HARMONY** _____
- **COMPREHENSIVE PLAN** _____

Tisher	12-27-19	NHN Kramer Ave.
Last Name	Date Submitted	Project Address

***REQUIRED FINDINGS** (Choose ONE applicable type and explain how your project meets these criterion):*

***Major Zoning Variance** (Sitka General Code 22.30.160(D)1)*

Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:

a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner, specifically,_____

_____;

b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity, specifically, _____

_____;

c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure, specifically, _____

_____;

d. That the granting of such a variance will not adversely affect the comprehensive plan, specifically, (cite section and explain)_____

_____

_____.

***Minor Zoning Variance** (Sitka General Code 22.30.160(D)2)*

Required Findings for Minor Expansions, Small Structures, Fences, and Signs.

a. The municipality finds that the necessary threshold for granting this variance should be lower than thresholds for variances involving major structures or major expansions, specifically, _____

_____;

b. The granting of the variance is not injurious to nearby properties or improvements_____

_____;

c. The granting of the variance furthers an appropriate use of the property, specifically, _____

_____.

Platting Variance *(Sitka General Code 21.48.010)*

A variance from the requirements of this title may be granted only if the planning commission finds that:

A. The granting of a platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property, specifically, The platting variance actually will be a significant improvement, allowing more development to take place.

B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property, specifically, The utility lines placed were done so with the intention of multiple hook ups. The lines were meant to handle more and allowing this will increase the value of surrounding properties.

ANY ADDITIONAL COMMENTS _____

Jill Hirai North 57 Land Surveying
Applicant

12-27-19
Date

Tisher
Last Name

12-27-19
Date Submitted

NHN Kramer Ave.
Project Address

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Case No:	P 19-08
Proposal:	Final plat - Hybrid minor subdivision to result in 5 lots
Applicant:	Michael Tisher
Owner:	Michael Tisher
Location:	2370 Halibut Point Road
Legal Desc.:	Lot 1 Oceanview Ridge Subdivision and Lot 4, West Woodbury Subdivision
Zone:	R-1 MH single-family, duplex and manufactured home zoning district
Size:	Existing: Approx. 3.8 acres Proposed: Lot 1 – 44,353 square feet, Lot 2 – 39,794 square feet, Lot 3 – 36,793 square feet, Lot 4 – 25,443 square feet, Lot 5 – 16,835 square feet
Parcel ID:	2-5210-000 and 2-5210-010
Existing Use:	Undeveloped
Adjacent Use:	Residential, undeveloped
Utilities:	Proposed from Kramer Avenue and Halibut Point Road
Access:	Kramer Avenue

KEY POINTS AND CONCERNS:

- The Commission reviewed and approved the preliminary plat on December 18, 2019.
- Applicant has also requested a platting variance for the utility system (VAR 20-01).
- Related to previous action P 18-04 considered and given preliminary plat approval from the Commission on 5/15/2019. Owner has decided to make a slight alteration to involve Lot 4, West Woodbury Subdivision in the process and pursue a 5-lot hybrid minor subdivision rather than the 4-lot minor subdivision as previously considered.
- Access via Kramer Avenue passes through low, moderate, and high landslide risk zones
- Related platting actions (the easement realignment in the Oceanview Ridge Subdivision and the minor subdivision of the neighboring property Portion of Lot 13 US Survey 2418) have been resolved.
- Applicant should consult with USACE regarding potential wetlands.
- DEC, CBS Public Works and CBS Electrical Department has been consulted regarding utilities.
- CBS Public Works has been consulted regarding driveway permits and access via Kramer.

RECOMMENDATION: Approve the proposed final plat for a hybrid minor subdivision subject to the attached conditions.

BACKGROUND: The proposed minor subdivision is of Lot 1 of the Ocean Ridge Subdivision (ORS), a subdivision created from lot 14 of US Survey 2418. ORS has four lots. There was an access easement from Halibut Point Road that went through all four lots, primarily serving lots 1 and 4. It was determined due to slope/topography this easement was not suitable for access to Lot 1. There was no existing maintenance agreement for the easement, and a structure (a large garage/shop with an apartment above) had been built on top of the easement on lot 4. It was the determination of previous planning staff that this easement should be corrected to no longer serve lot 1, parts of the easement should be vacated and redrawn to end at the boundary line between lots 3 and 4, and a maintenance agreement should be adopted by the property owners. These actions have been completed; the new easement and maintenance agreement are in Attachment D.

Relation to platting action P 18-02: JPJL (owned by John and Jamie Licari) owns the adjacent property to the south of Lot 1 ORS. The JPJL lot provides contact to Halibut Point Road to connect upland lots to utilities (sewer and electricity), including the proposed Tisher subdivision. JPJL is willing to grant the utility and access easements with the understanding that Mr. Tisher will purchase the newly created lot resulting from JPJL's subdivision which received final plat approval from the Commission on 9/4/2019.

PROJECT DESCRIPTION:

The new subdivision, Tisher Subdivision, will create five lots from Lot 1 ORS and Lot 4 West Woodbury Subdivision (WWS). The proposed size net of access easements of each lot is: Lot 1 – 43,624 square feet, Lot 2 – 39,794 square feet, Lot 3 – 35,059 square feet, Lot 4 – 19,862 square feet, Lot 5 – 13,867 square feet. The lots will be accessed from Kramer Avenue. CBS Public Works has granted a license to allow the applicant to relocate the gate farther north on Kramer Avenue to enable access to the proposed subdivision. There is an access easement through Lot 5 to provide access to Lots 2, 3, and 4. As compared to the previous proposal, no additional lots are accessed via easement in this modified proposal. Lot 4 WWS makes direct contact with Kramer Avenue. If this subdivision is successful half of the lot will be absorbed into the proposed Lot 1, and therefore the new Lot 1 itself will make direct contact with Kramer. The proposed Lots 2, 3, and 4 would have needed to be served via an easement through Lot 4 WWS in either scenario, so the access as previously approved is unchanged.

CBS Public Works would also grant a license to the applicant to extend water lines north on Kramer Avenue to serve the subdivision. The applicant has been working with DEC and CBS Public Works on utility and drainage issues. The subdivision will have five lots, each has a roughed in building pad in place and some grading has taken place.

Title 21
The purposes of the subdivision regulations are: to promote and protect the public, health, safety and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying. [1]

Title 22
22.16.045 R-1 MH single-family, duplex and manufactured home zoning district.
A. Intent. See the intent statement for the R-1 district. The R-1 MH district is intended primarily for single-family, single-family manufactured homes or duplex dwellings, at moderate densities, but structures and uses required to serve recreational and other public needs of residential areas are allowed as conditional uses subject to restrictions intended to preserve the residential character of the R-1 MH district.

Zoning Development Standards
The minimum lot area for the R-1 MH District is 6,000 square feet. Minimum lot width is 80 feet. Proposed lots meet these requirements.

PROJECT ANALYSIS
Site: The site is in a low risk landslide zone. However, Kramer Avenue, which will provide access crosses through a moderate and high landslide risk zone. The land is buildable; building pads have been cleared and some grading has taken place.

Utilities: Utility easements are shown. CBS Public Works will work with the applicant to secure necessary licenses. Applicant has also worked with DEC for sewer installation. Applicant has requested a platting variance to connect more than 5 lots to a private utility system prior to final plat approval.

Access, Roads, Transportation, and Mobility: Driveway permits must be obtained from CBS Public Works. To record the final plat of the Tisher Subdivision, all access and utility easements and associated agreements will need to be drafted and agreed to.

Public, Health, Safety and Welfare: Applicant should work with USACE to address potential wetlands. Emergency services found no public safety concerns during the design review committee process.

[1] SGC 21.04.020

Rec, Light, Air: Potential impact to use of Kramer Avenue for recreation. Other impacts are expected to be minimal. Lots to be created are large and provide for ample space, air and views.

Orderly and Efficient Layout and Development: The applicant has put forward significant time and resource into the development and layout of the subdivision – the applicant has worked both with the City and State agencies to move the project forward in a thoughtful, orderly manner. Development of this subdivision unlocks previously unutilized residential areas both within the subdivision itself, but also for neighboring properties.

Comprehensive Plan
The proposed minor subdivision complies with Comprehensive Plan Section on Housing by "expanding the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods."

RECOMMENDATION
Staff recommends that the Planning Commission move to approve the proposed subdivision subject to the attached conditions and findings.

ATTACHMENTS:
Attachment A: Aerial
Attachment B: Current Plat
Attachment C: Preliminary Plat
Attachment D: Applicant Materials (including ADEC correspondence and drainage report)
Attachment E: Ocean Ridge Subdivision updated easement

RECOMMENDED MOTIONS

1) **I move to approve the** final plat for a hybrid minor subdivision to result in five lots at 2370 Halibut Point Road in the R-1 MH District subject to the attached conditions. The properties are also known as Lot 1 Oceanview Ridge Subdivision and Lot 4 West Woodbury Subdivision. The request is filed by Michael Tisher. The owners of record are Michael and Glenda Tisher.

   A. Conditions of Approval:
      1. All utilities including water, sewer, and electricity shall be required to have an approved permit from the municipality; and all utility permits and design shall comply with all applicable code and design policies including, but not limited to, 15.04.100, 15.04.110, 15.04.240, and 15.04.250.
      2. The applicant will secure a license from the municipality to a) extend the public water north of its current termination on Kramer Avenue and b)

relocate the access gate north of its current location on Kramer Avenue to allow for access to the proposed subdivision via Kramer Avenue.

3. This subdivision development and the plat, prior to recording, shall comply with all applicable Sitka General Code.
4. Please note: Minor errors, corrections, and language of plat notes may be approved by planning staff that do not substantially and materially impact the nature of the subdivision.
5. All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.
6. Easement and maintenance agreements for all proposed easements shall be recorded.
7. All easement agreements will be cited via plat notes.

2) **<u>I move to find that:</u>**

a. The final plat meets its burden of proof as to access, utilities, and dimensions as proposed;
b. The proposed minor subdivision final plat complies with the Comprehensive Plan Section on Housing by "expanding the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods";
c. The proposed minor subdivision final plat complies with the subdivision code; and
d. The minor subdivision final plat is not injurious to the public health, safety, and welfare and further that the proposed plat notes and conditions of approval protect the harmony of use and the public's health, safety and welfare.

Point Road
2410
191
en Street
211
111
208
101
103
209
2406
189
2407
Kramer Avenue
Cushing Street
207
206
104
187
205
204
102
100
203
2325
2318
2370
202
201
200
2316
2323
Kramer Avenue
Halibut Point Road
2314
2308
2310
2306
2309
112
2304
110

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 84-12 DATED July 5, 1984 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

8-1-84 Kit Andreason
DATE CHAIRMAN

ATTEST:

Claudia A. Johnson
SECRETARY

SEAL:

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA, AND THAT SAID PLAT HAS BEEN APPROVED BY THE ASSEMBLY AS RECORDED IN MINUTE BOOK ___, PAGE ___ DATED ___ AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA

7-26-84 Jack E. Dugan
DATE MAYOR

ATTEST:

Dolores Hagemeier
CLERK

CITY AND BOROUGH OF SITKA DECEMBER 2, 1971

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND DEDICATE ALL PUBLIC STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

July 25, 1984
DATE

Richard D. Heim Jr.
OWNER
as Attorney in Fact for Michael Jon Tisher as recorded in Book 66, P. 30, Sitka Recording District 7/25/84

THE NOTARY'S ACKNOWLEDGEMENT

UNITED STATES OF AMERICA }
STATE OF ALASKA } SS
CITY AND BOROUGH OF SITKA }

THIS IS TO CERTIFY THAT ON THIS 25th DAY OF July 1984 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Richard O. Heim, JR / Attorney in fact for Michael J. Tisher TO ME KNOWN TO BE IDENTICAL INDIVIDUAL MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND He ACKNOWLEDGED TO ME THAT He SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

Gail E. Roderick
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA.
MY COMMISSION EXPIRES 7-1-87

GAIL E. RODERICK NOTARY PUBLIC STATE OF ALASKA

CERTIFICATE

STATE OF ALASKA }
1ST JUDICIAL DISTRICT } SS

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED AND ACTING ASSESSOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF:

Michael Jon Tisher
AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL. THAT CURRENT TAXES FOR THE YEAR 19 84 WILL BE DUE ON OR BEFORE July 31, 1984

DATED THIS 2ND DAY OF August, 1984
AT SITKA, ALASKA.

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

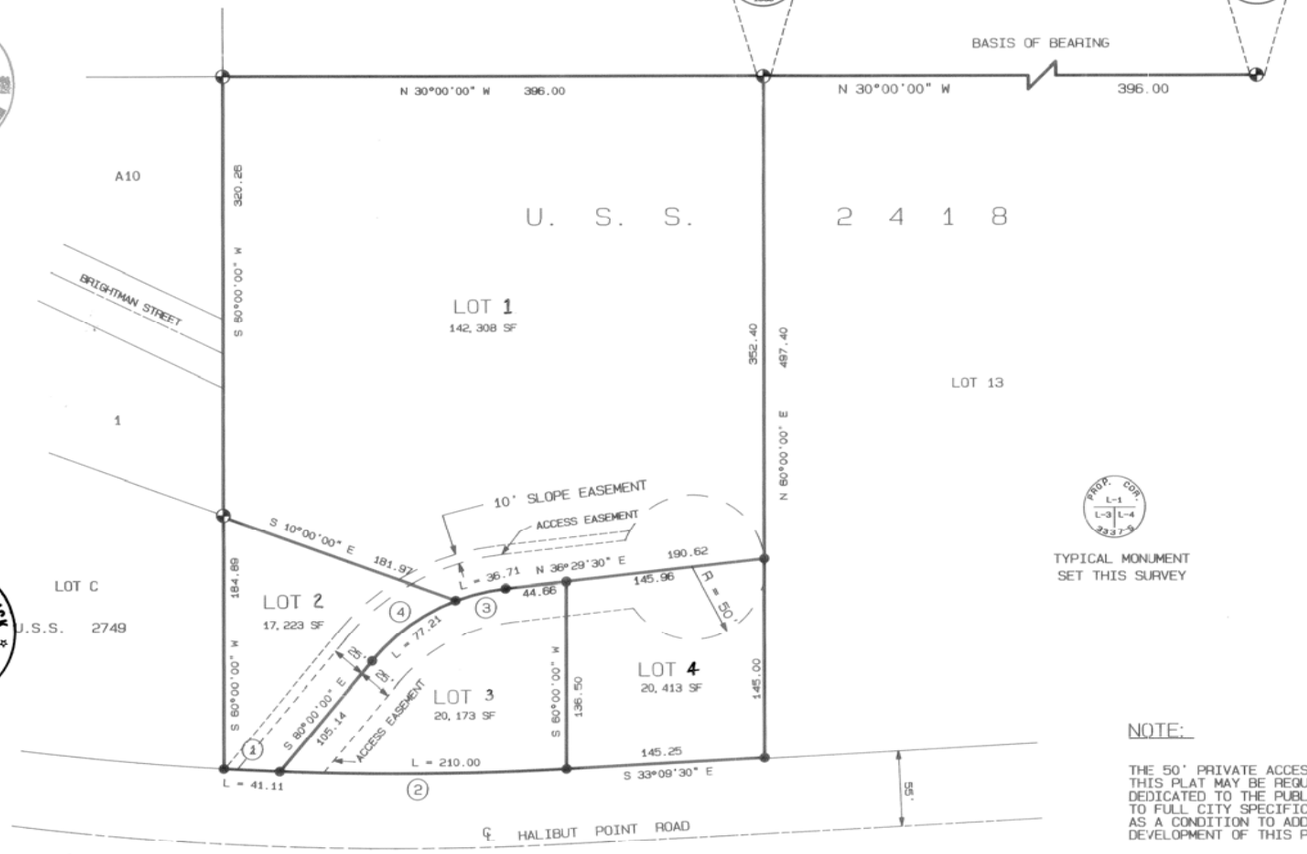
I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED AND ACTING FINANCE DIRECTOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF:

Michael Jon Tisher
AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 2ND DAY August, 1984
AT SITKA, ALASKA.

John D. McCracken
FINANCE DIRECTOR, CITY AND BOROUGH OF SITKA.

RECORDED - FILED
SITKA REC. DIST.
DATE August 2, 1984
TIME 10:38 A.M.
Recorded by City Boro
Address 304 Lake St.
Sitka, AK 99835



VICINITY MAP
SCALE 1" = 1000'

CURVE INFORMATION

(1) R = 2236.83'
D = 02°33'41"
Δ = 01°03'11"
L = 41.11'
T = 20.55'
C = 41.11'
CHORD BRG. = N 27°15'39" W

(2) R = 2236.83'
D = 02°33'41"
Δ = 05°22'45"
L = 210.00'
T = 105.08'
C = 209.92'
CHORD BRG. = N 30°28'07" W

(3) R = 150.00'
D = 38°11'50"
Δ = 14°01'22"
L = 36.71'
T = 18.45'
C = 36.62'
CHORD BRG. = N 43°29'53" W

(4) R = 150.00'
D = 38°11'50"
Δ = 29°29'26"
L = 77.21'
T = 39.48'
C = 76.36'
CHORD BRG. = N 65°15'27" W

NOTE:

THE 50' PRIVATE ACCESS EASEMENT AS SHOWN ON THIS PLAT MAY BE REQUIRED TO BE FORMALLY DEDICATED TO THE PUBLIC AND CONSTRUCTED TO FULL CITY SPECIFICATIONS IN THE FUTURE, AS A CONDITION TO ADDITIONAL SUBDIVISION AND DEVELOPMENT OF THIS PROPERTY.

LEGEND

U.S.G.L.O. MONUMENT RECOVERED THIS SURVEY

5/8" REBAR WITH "SURV-CAP" SET THIS SURVEY

STATE OF ALASKA 49TH NOEL F. STRAGIER No. 3337-S REGISTERED PROFESSIONAL LAND SURVEYOR

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE: 6-84 REGISTRATION NO. 3337-S
Noel F. Stragier
REGISTERED LAND SURVEYOR

OCEANVIEW RIDGE SUBDIVISION

A SUBDIVISION OF LOT 14, U.S.S. 2418

PREPARED BY:

STRAGIER ENGINEERING SERVICES
CIVIL ENGINEERING
LAND SURVEYING
747-5833
P.O. BOX 4558
SITKA, ALASKA 99835

SCALE: 1"=50'
DATE: JUNE '84
PREPARED FOR:
MR. MIKE TISHER
BOX 1238

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____ OWNER _____ (SIGNATURE)

DATE _____ OWNER _____ (SIGNATURE)

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS_____DAY OF_____, 20_____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED_____

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND_____ ACKNOWLEDGED TO ME THAT_____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.
WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES_____.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE OF PAYMENT OF TAXES (STATE OF ALASKA) (FIRST JUDICIAL DISTRICT)

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BOROUGH OF SITKA, IN THE NAME OF_____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20_____ WILL BE DUE ON OR BEFORE AUGUST 31, 20_____ DATED THIS_____ DAY OF_____.

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED_____ 20_____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATTING BOARD

SECRETARY

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK_____ PAGE_____ DATED_____ 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR

CITY AND BOROUGH CLERK

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF: _____

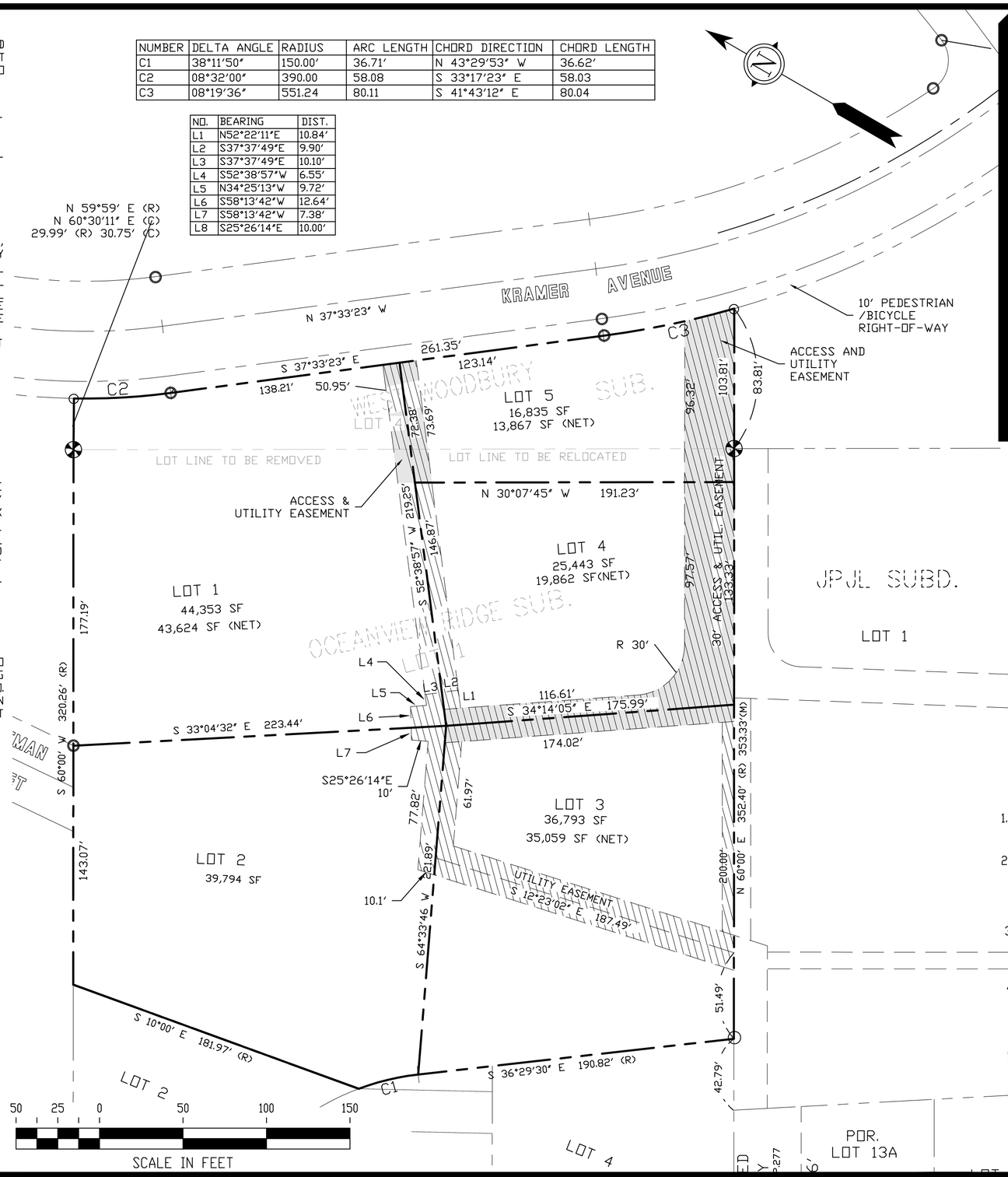
(ALL OWNERS OF RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

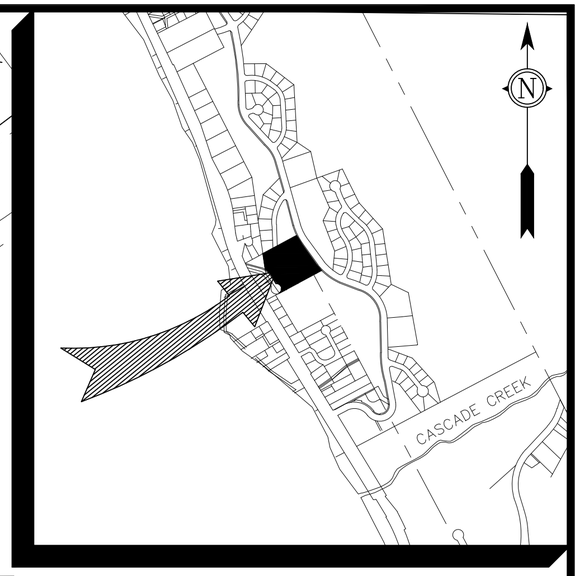
DATED THIS ____ DAY OF _____
20 ____, AT SITKA, ALASKA.

FINANCE DIRECTOR CITY & BOROUGH OF SITKA

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	38°11'50"	150.00'	36.71'	N 43°29'53" W	36.62'
C2	08°32'00"	390.00	58.08	S 33°17'23" E	58.03
C3	08°19'36"	551.24	80.11	S 41°43'12" E	80.04

NO.	BEARING	DIST.
L1	N52°22'11"E	10.84'
L2	S37°37'49"E	9.90'
L3	S37°37'49"E	10.10'
L4	S52°38'57"W	6.55'
L5	N34°25'13"W	9.72'
L6	S58°13'42"W	12.64'
L7	S58°13'42"W	7.38'
L8	S25°26'14"E	10.00'





VICINITY MAP

SCALE 1"=1,000'

LEGEND

- PRIMARY CONTROL MONUMENT RECOVERED (BRASS CAP)
- BLM/GLO PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- ORIGINAL WHITCOMB HTS. MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

NOTES

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 1 OF THE OCEAN VIEW RIDGE SUBDIVISION AND LOT 4 WEST WOODBURY SUBDIVISION INTO 5 LOTS.
2. THE MUNICIPALITY IS PARTY TO ALL EASEMENTS AND PLAT NOTES. THEY SHALL NOT BE MODIFIED WITHOUT APPROVAL OF THE PLATTING BOARD. THERE SHALL BE NO ENCROACHMENTS ON CITY ASSETS OR EASEMENTS.
3. A MAINTENANCE AGREEMENT FOR THE ACCESS AND UTILITY EASEMENT ON LOT 1 IS FILED IN THE SITKA RECORDING DISTRICT OFFICE UNDER SERIAL NO._____.
4. A MAINTENANCE AGREEMENT FOR THE ACCESS AND UTILITY EASEMENT ON LOT 5 IS FILED IN THE SITKA RECORDING DISTRICT OFFICE UNDER SERIAL NO. _____.
5. A MAINTENANCE AGREEMENT FOR THE ACCESS AND UTILITY EASEMENT ON LOT 4 IS FILED IN THE SITKA RECORDING DISTRICT OFFICE UNDER SERIAL NO. _____.
6. A MAINTENANCE AGREEMENT FOR THE ACCESS AND UTILITY EASEMENT ON LOT 3 OF THIS SUBDIVISION IS FILED IN THE SITKA RECORDING DISTRICT OFFICE UNDER SERIAL NO. _____.

SITKA RECORDING DISTRICT

NORTH 57
LAND SURVEYING
(907) 747-6700 2007 CASCADE CREEK ROAD, SITKA, AK 99835

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

STATE OF ALASKA 49TH KELLY O'NEILL #LS 13321 REGISTERED PROFESSIONAL LAND SURVEYOR

DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: KO
DATE OF PLAT: Nov. 26, 2019
SCALE: 1" 50'
DRAWING NAME: 40036-03
PROJECT NO. 40036-03

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN _____, A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE _____ KELLY O'NEILL _____ LS 13321

TISHER SUBDIVISION

LOT 1 OCEANVIEW RIDGE SUBD. AND LOT 4 WEST WOODBURY SUBDIVISION

CLIENT: MICK TISHER

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

- **Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.**
- **Review guidelines and procedural information.**
- **Fill form out completely. No request will be considered without a completed form.**
- **Submit all supporting documents and proof of payment.**

APPLICATION FOR: ☐ VARIANCE ☐ CONDITIONAL USE ☐ ZONING AMENDMENT ☑ PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: A hybrid subdivision creating 5 lots out of what was 2 lots.

PROPERTY INFORMATION:

CURRENT ZONING: R-1MH PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): Residential PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: Michael J. Tisher

PROPERTY OWNER ADDRESS: 304 Wortman Loop

STREET ADDRESS OF PROPERTY: 2370 HPR and Kramer Avenue

APPLICANT'S NAME: North 57 Land Surveying

MAILING ADDRESS: 2007 Cascade Cr. Rd.

EMAIL ADDRESS: mjtisher@yahoo.com DAYTIME PHONE: 907-738-2439

jhirai@north57ls.com

PROPERTY LEGAL DESCRIPTION:

TAX ID: 25210000&25210010 LOT: 1 &4 BLOCK: _____ TRACT: _____

SUBDIVISION: Lot 1 Oceanview Ridge Subd. & lot 4 West Woodbury Subd. US SURVEY: _____

Last Name Date Submitted Project Address

REQUIRED INFORMATION:

For All Applications:

- [x] Completed General Application form
- [x] Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- [N/A] Site Plan showing all existing and proposed structures with dimensions and location of utilities
- [N/A] Floor Plan for all structures and showing use of those structures
- [x] Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- [x] Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- [N/A] Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- [ ] Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- [ ] AMCO Application

For Short-Term Rentals and B&Bs:

- [ ] Renter Informational Handout (directions to rental, garbage instructions, etc.)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Michael Fisher — 12/2/2019
Owner — Date

Jill Fisher — 12/2/2019
Owner — Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Jim Hill North 57 Land Surveying — 11-26-19
Applicant (If different than owner) — Date

Last Name — Date Submitted — Project Address

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
PLAT APPLICATION

APPLICATION FOR

- [ ] MAJOR SUBDIVISION/PLANNED UNIT DEVELOPMENT
- [x] MINOR SUBDIVISION/HYBRID SUBDIVISION
- [ ] SUBDIVISION REPLAT/LOT MERGER/EASEMENT AMENDMENT
- [ ] BOUNDARY LINE ADJUSTMENT

ANALYSIS: ***(Please address each item in regard to your proposal)***

- **SITE/DIMENSIONS/TOPOGRAPHY:** Approximetly 200 × 260 ft of land located on Kramer Avenue. Topography is variable with building pads located on each lot, some trees still exist on each lot as well.
- **EXISTING UTILITIES AND UTILITY ROUTES:** Shown on plat - utilities are installed & easements follow their as-built locations.
- **PROPOSED UTILITIES AND UTILITY ROUTES:** Shown on plat - all utilities are existing as of 11-26-19
- **ACCESS, ROADS, TRANSPORTATION, AND MOBILITY:** Shown on plat, various access points off Kramer Avenue, through existing lot 4 West Woodbury Subdivision
- **IMPACT OF PROPOSAL ON ANY EXISTING EASEMENTS:** Use of new easements and utilities on newly developed JPJL Subdivision lot 1 is necessary for sewer/electric
- **PUBLIC HEALTH, SAFETY, AND WELFARE:** Major improvement to land use in this area, provides utilities to area's otherwise without & access of Kramer makes it ideal for this type of development
- **ACCESS TO LIGHT AND AIR:** Very open area with development in place

Last Name | Date Submitted | Project Address

- **ORDERLY AND EFFICIENT LAYOUT AND DEVELOPMENT:** Very well thought out

- **DESCRIBE ALL EXISTING STRUCTURES, THEIR USE, AND PROXIMITY TO PROPOSED PROPERTY LINES:**

  No existing structures on either parcel

- **EXISTENCE OF ANY ENCROACHMENTS:** None

- **AVAILABILITY OF REQUIRED PARKING:** These lots are all above average size and have substantial pads in place, parking is not an issue.

- **SUMMARY OF PROPOSED EASEMENT AGREEMENTS OR COVENANTS:** Agreements are being written to include future connections and alieviate the necessity of re-writes for the Lot 1 JPJL Subdivision agreements as all uphill lots in this subdivision will be connecting to sewer through lot 1 JPJL Subdivision

ANY ADDITIONAL COMMENTS Interest in these lots for purchase has already begun. The development has created some excitement within Sitka in part because of it's size and the developers ability to deliver a complete "ready" to go" site.

Michael Oslen

Applicant

12/2/2019

Date

Last Name

Date Submitted

Project Address

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Environmental Conservation
Division of Water
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501
Main: (907)269-7519 Fax: (907)334-2415

October 8, 2018

Benjamin Schiller, P.E.
Forge Engineers
P.O. Box 240773
Anchorage, Alaska 99524

Re: Sitka –Tisher Subdivision Lot 1-4- 531 lineal feet of Sewer Line and 4 Manholes two with Drop Inlets – Conditional Approval to Construct-ADEC Plan Tracking Number 27776

Dear Mr. Schiller,

On September 11, 2018 the Department received an engineering plan submittal for the Tisher Subdivision. You have provided the right to connect to the City of Sitka's wastewater utility, methods for restraining the steep portions of the lines and to protect the pipe at joints. Thank you.

The City of Sitka's Standard Details on manholes and Drop Inlet's has also been provided for CBSSS 50-2 and CBSSS 50-7. These details are now your standard detail for this design.

The Department has reviewed the engineering plans submitted for the 531 lf of C900DR-18 PVC pipe and manholes as noted above and per the Wastewater Regulations 18 AAC 72.235 a conditional approval to construct is issued for the domestic wastewater system. A "Certificate of Construction" so marked for the domestic wastewater system is enclosed. Please use the referenced plan number in correspondence regarding this project.

This approval is contingent upon compliance with the following conditions:

1) The engineer must provide site inspections to assure that the design is maintained. Provide the Sewer line Lamp test Certification form please fill out this form assuring that the horizontal and grade are aligned properly. Should the City also require pressure testing please provide these results as well.

2) If the applicant fails to construct, alter, install, or modify the system within two (2) years after the date that the department issues an approval to construct, the approval is void, and plans must be resubmitted, [along with associated fees], for department review and approval.

3) Deviations from approved plans which affect capacity, flow, operation, major design of units, point of discharge, materials of major system components (such as pipe, lagoon liners, etc.), or separation distances, must be approved by DEC in writing prior to their implementation.

4) This approval is contingent upon compliance with the conditions of Wastewater Disposal Regulations, 18 AAC 72.235, *Construction Certification*. The noted section of the regulations requires that a "*Certification of Construction*" be completed and submitted to the Department within ninety (90) days of completion of construction. As-built plans or record drawings should indicate any changes or deviations from the approved plans to facilitate final review. A "*Certification of Construction*" form is enclosed for your use.

5) This approval is contingent upon your receipt of any other state, federal or local authorizations which are required for your project. You are required to obtain all other necessary authorizations before proceeding with your project.

6) You are advised that if this development will require placing fill in wetlands or working in a stream, river, or lake, permits from the U.S. Army Corps of Engineers and the Alaska Department of Natural Resource may be required. The previous required Coastal Projects Questionnaire could be helpful to you to identify other permits and approvals that may be required for your project.

This approval does not imply the granting of additional authorizations nor obligate any state, federal or local regulatory body to grant required authorizations.

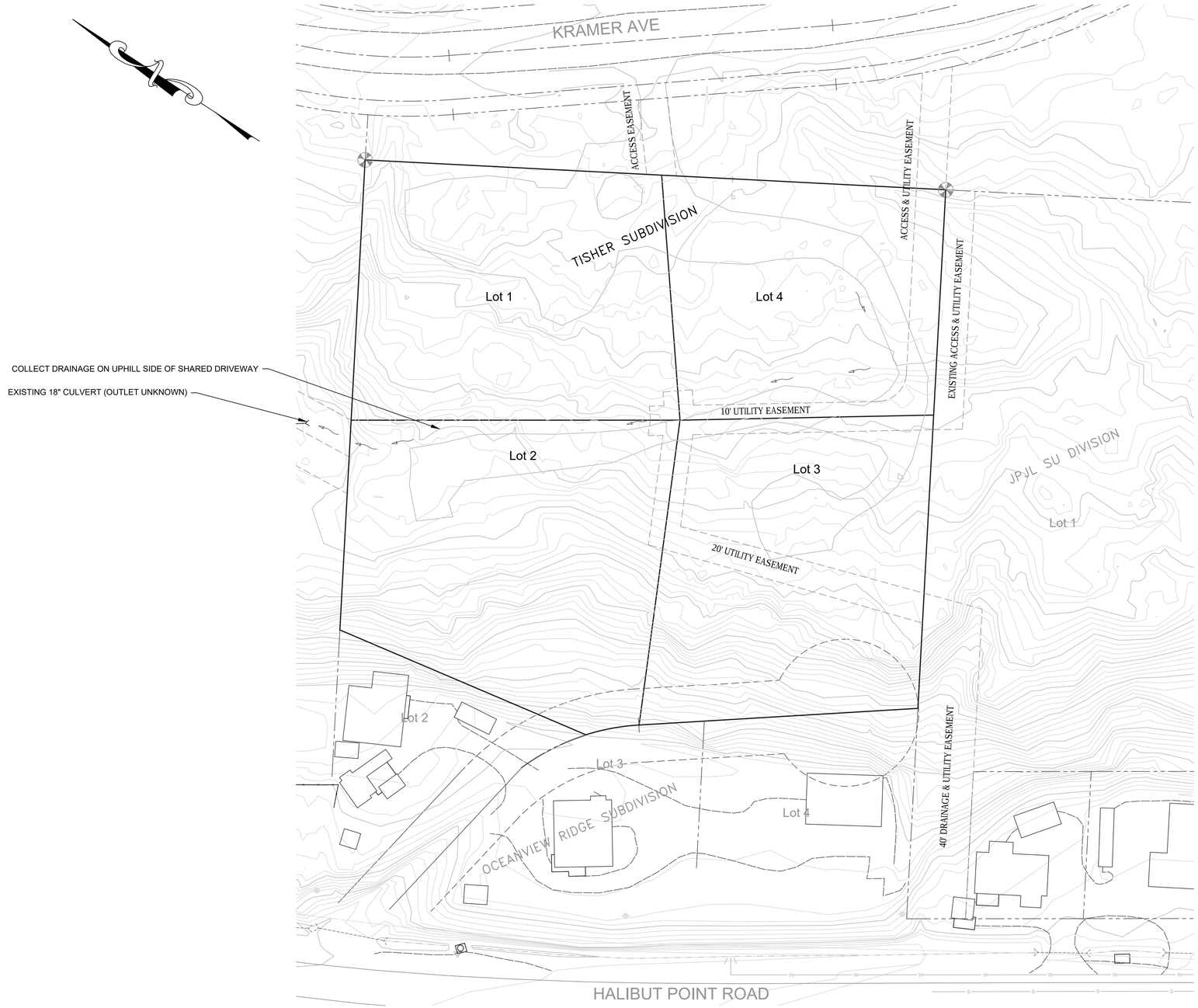
Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195- 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. **Informal review requests** must be delivered to the Division Director, 410 Willoughby Avenue, Suite 303, P.O. Box 111800, Juneau, Alaska 99801, within 20 days of receiving the decision. Guidance information on the informal review process may be found at http://www.dec.state.ak.us/commish/Review-Guidance.htm. **Adjudicatory hearings requests** must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, P.O. Box 111800, Juneau, Alaska 99801, within 30 days of the decision. If a hearing is not requested within 30 days, the right to appeal is waived.

Thank you for your cooperation. If you have any questions please do not hesitate to contact me at 269-7519.

Respectfully,

William R. Rieth

William R. Rieth, P.E.
Environmental Engineer



TISHER SUBDIVISION PLAN

SCALE: 1"=40'

0 40 80 120 160

SCALE: 1" = 40'

VERIFY SCALE

THIS BAR REPRESENTS ONE INCH ON ORIGINAL DRAWING.

0" 1"

IF BAR IS NOT ONE INCH, ADJUST DRAWING SCALE ACCORDINGLY.

TISHER CONSTRUCTION
315 Seward St, Suite B
Sitka, AK 99835
907-747-6274

OWNER

FORGE ENGINEERING
PO BOX 240773
ANCHORAGE, AK 99524
907-522-7773

CONSULTANT

STATE OF ALASKA 49TH
Benjamin Schiller
CE 12592
Aug 20, 2018
REGISTERED PROFESSIONAL ENGINEER

SEAL

TISHER SUBDIVISION

GRADING AND DRAINAGE PLAN

HORZ SCALE: 1"=40'
VERT SCALE: N/A
DATE: 8-1-2018
GRID: _____
PERMIT #
SHEET C8

DRAINAGE REPORT

Tisher Subdivision

Completed By:

FORGE ENGINEERING

Benjamin Schiller, P.E.

STATE OF ALASKA
49 TH
Benjamin Schiller
CE 12592
REGISTERED PROFESSIONAL ENGINEER

June 26, 2018

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1. Project Description

a. Location

This project is a parcel of land between Halibut Point Road and Kramer Ave. The legal description currently is Oceanview Ridge Sub, Lot 1, but the proposed legal is the Tisher Subdivision, Lots 1-4. The property is on the south side of the Kramer Avenue ROW, west of Jacobs Circle past the landslide: **Latitude 57.0791°**, **Longitude -135.3738°**.

b. Project Description

The project involves subdividing one lot into for separate properties. Each of the new properties will eventually have a home and driveway on it, although the properties will share access to Kramer Ave.

There is no storm drain directly available to the property; however, there is access through the adjacent property to the ditches alongside Halibut Point Road. The soils are mixtures of silt and gravel and absorb a significant amount of rainfall, along with the existing heavy vegetation.

2. Basin Characterization

a. Pre-development Conditions

The property is currently undeveloped, although there has been some clearing and grading for access to the lots. The rest of the property is uncleared forest with undergrowth. The land slopes significantly down from Kramer Avenue toward Halibut Point Road, at an average of 10-30%, and in some sections approaching 50% or more. The soils are mixtures of silt and gravel with some subsurface water. Excess runoff sheet drains onto the properties to the southwest or collects in small intermittent streams that flow down to Halibut Point Road.

b. Post-development Conditions

After development, there will be several homes with driveways sharing access from Kramer Avenue. The general slope of the land will be the same except in the home site and driveway areas. Per CBS code, drainage from roofs and gutters will be considered incidental and will sheet flow downhill toward the downslope properties. Major stormwater flows will be collected into an existing intermittent stream to be directed to the storm ditch along Halibut Point Road.

c. Contributing Off-site Drainage

None of significance. Kramer Avenue is above this property, but it is undeveloped. If it is paved in the future, it will be designed to take care of that stormwater.

d. Floodways, Floodplains, and Wetlands

None.

e. Problem Areas

None.

f. Pre-development Runoff Analysis

The EPA SWMM 5.0 program was used to analyze the runoff using the pre-construction conditions. The output is included in Appendix B. This project was modeled a single subcatchment area the width of the full property, and an average slope of 25%:

Catchment 1:	**Soils:**
3.27 acres	'Loam': K=0.26, ψ=6.69, Initial Deficit = default (0.25)
	Pervious
Description	Undisturbed vegetation
Area	100%
Manning's n	0.35
Depression Storage	0.05"

According to this model, the total runoff for the 24-hour storm with a return period of 25 years is 20,900 ft3. The peak runoff flow is 8.02 ft3/sec.

3. Post-Development Runoff Analysis

The same basic parameters were used for the post-development analysis, except for the homes and paved driveways:

Catchment 1:	**Soils:**		
3.27 acres	'Loam': K=0.26, ψ=6.69, Initial Deficit = default (0.25)		
	Pervious	**Impervious**	**Zero-Impervious**
Description	Vegetation	Paved Road	Roof
Area	76.8%	23.2%	36.3% (of impervious)
Manning's n	0.35	0.011	0.011
Depression Storage	0.05"	0.05"	

According to this model, the total runoff for the 24-hour storm with a return period of 25 years is 25,400 ft3. The peak runoff flow is 9.20 ft3/sec. The area of development relative to the large area of the properties limits the impact.

4. Stormwater Conveyance Design

As this subdivision is residential in nature, with only single-family homes and driveways, the stormwater runoff for most of the subdivision will not be collected and transmitted anywhere. Per CBS regulations, residential runoff is permitted to sheet flow downhill and run through those properties.

The only conveyance design needed is for the existing intermittent stream which serves as a collector for much of the surface runoff in the area. As this will essentially be a ditch, the 25-year return storm is used for the sizing. The peak flow post-development is calculated as 9.20 ft3/sec, although this is very conservative as it includes the runoff from the homes.

As much of the ditch will be sloped significantly greater than 6%, the ditch will need to be armored with rip-rap. A trapezoidal channel sloped at 30%, carrying over 8 CFS, will have a velocity around 12 ft/s.

With this velocity, the channel is required to have a freeboard minimum of 1' over the design flow. A channel with 2:1 side slopes and no flat bottom will flow 3" deep, so the channel will be a minimum of 1.25' deep. However, with velocities approaching 12 ft/s, the conveyance protection will need to be Class II riprap, 2' above the design water surface.

The final design for the conveyance channel is a 9' wide channel, 2.25' deep, at a slope of 30-50%. Please refer to the plans for detail.

A L A S K A

2019-000234-0
Recording Dist: 103 - Sitka
3/19/2019 12:47 PM Pages: 1 of 5

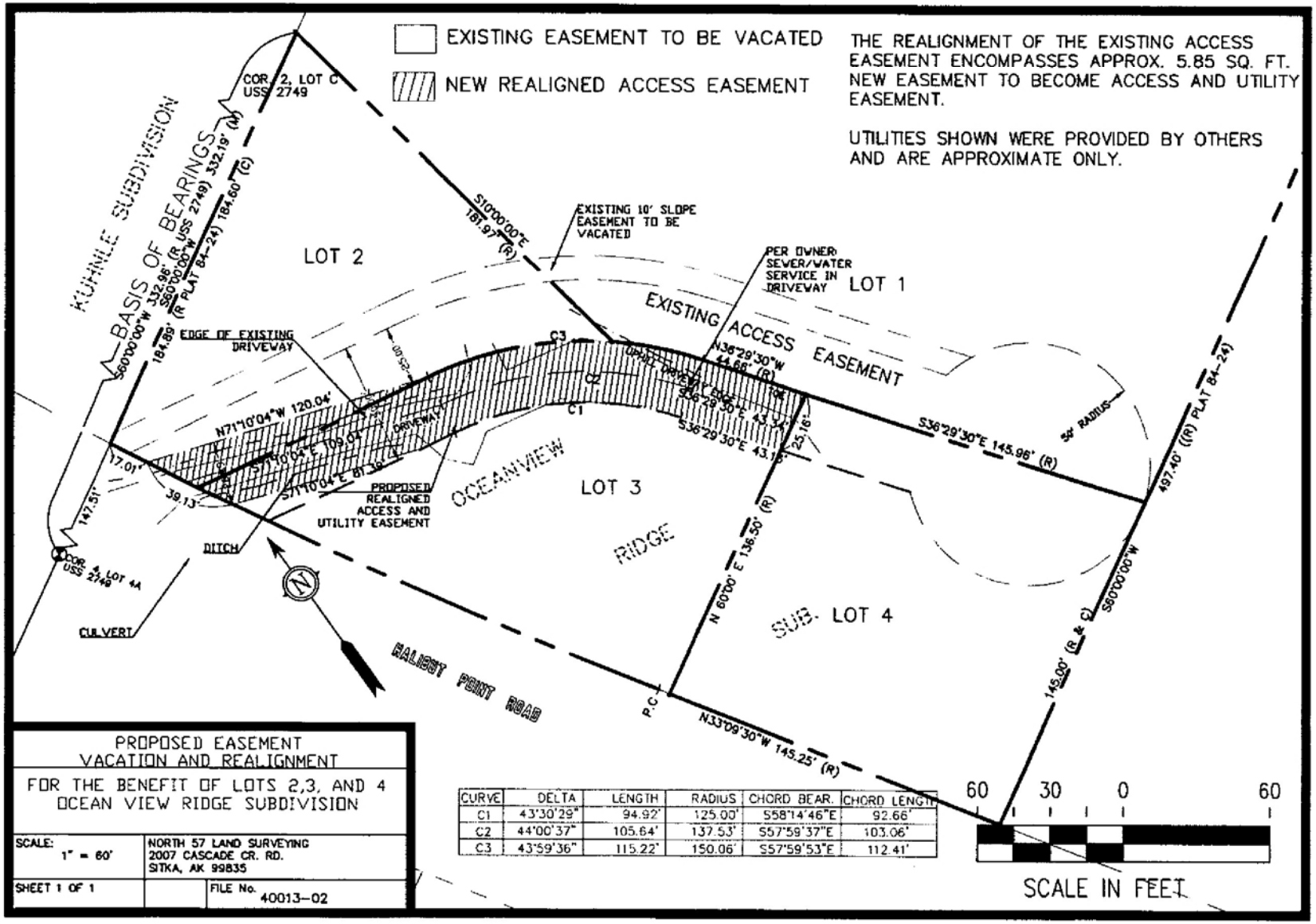
After Recording Return to:
Michael Tisher
304 Wortman Loop
Sitka, Alaska 99835
SITKA RECORDING DISTRICT

GRANT OF ACCESS AND UTILITY EASEMENT

The current owners of Lots 1,2,3 and 4 of the Ocean View Ridge Subdivision agree to vacate the existing Easement as per the Ocean View Ridge Subdivision (Plat No. 84-24) and Replace it with a new realigned access and utility easement. The current and any future owners of Lots 2,3 and Lot 4 of the **OCEAN VIEW RIDGE SUBDIVISION,** agree to share the expense of the maintenance of an Access and utility easement running through Lot 2 and Lot 3, as shown on the attached Easement exhibit. A Maintenance agreement is recorded concurrent with this agreement in the Sitka Recording District. The City and Borough of Sitka is a party to all easements. The Realigned Access and Utility Easement is further described below:

Easement description:
An irregularly shaped access and utility easement within lots 2 and 3 Ocean View Ridge Subdivision more particularly described as follows: beginning at a brass cap monument marking the Northwesterly corner (C4) of lot 4A, USS 2749; thence N60°00'00"E a distance of 147.51 ft. To the Northwesterly corner of Lot 2 Ocean View Ridge Subdivision, a point coincident with the curved northeasterly halibut point road right of way; thence Southeasterly along the right of way curve a chord. Bearing of S27°02'17"E and distance 17.01 ft. To the true point of beginning of this description and beginning of this easement; thence continuing Southeasterly along the right of way curve, concave to the Southwest with radius 2236.83 ft., a chord bearing S27°45'25"E and chord distance 39.13Ft.; thence away from the right of way S71°10'04"E a distance of 81.39 ft. to the beginning of a curve concave to the Southwest with radius 125.00 ft.; thence Southeasterly 92.66 ft. Along said curve through a central angle of 43°30'29"; thence S36°29'30"E a distance of 43.13 ft. To a point coincident with the lot 3 and 4 property line; thence along the common property line between lots 3 and 4 N60°00'E a distance of 25.16 ft., thence away from the common property line N36°29'30"W a distance of 44.66 ft. To the Southeasterly corner of lot 2; thence along a non-tangential curve concave to the southwest with radius 150.06 ft. Northwesterly following the common lot 2 and lot 3 boundary an arc distance of 112.41 ft.; thence away from the common lot boundary N71°10'04"W a distance of 120.04 ft. To the point of beginning encompassing 6590 square feet more or less.

eRecorded Document



CURVE	DELTA	LENGTH	RADIUS	CHORD BEAR.	CHORD LENGTH
C1	43°30'29"	94.92'	125.00'	S58°14'46"E	92.66'
C2	44°00'37"	105.64'	137.53'	S57°59'37"E	103.06'
C3	43°59'36"	115.22'	150.06'	S57°59'53"E	112.41'

PROPOSED EASEMENT VACATION AND REALIGNMENT

FOR THE BENEFIT OF LOTS 2,3, AND 4 OCEAN VIEW RIDGE SUBDIVISION

SCALE: 1" = 60'	NORTH 57 LAND SURVEYING 2007 CASCADE CR. RD. SITKA, AK 99835	
SHEET 1 OF 1		FILE No. 40013-02

eRecorded Document

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Case No:	ZA 20-01
Proposal:	Zoning Map Amendment: Industrial to C-2
Applicant:	Chris McGraw and Charles McGraw
Owner:	Halibut Point Marine Services, LLC and Charles McGraw
Location:	4513, 4521, and 4533 Halibut Point Road
Legal Desc.:	Lot A, HPM Subdivision, Lot 55, U.S. Survey 3475, and a portion of Lot Fifty-one (51), U.S. Survey 3475
Zone:	Industrial zoning district
Size:	4513 HPR: 100,789 sf 4521 HPR: 49,149 4533 HPR: 27,294
Parcel ID:	4513 HPR: 2-5860-000 4521 HPR: 2-5870-000 4533 HPR: 2-5852-000
Existing Use:	Commercial deep-water dock, visitor staging, fuel & marine services
Adjacent Use:	Commercial, residential, quarrying, private marina
Utilities:	Halibut Point Road
Access:	Halibut Point Road

KEY POINTS AND CONCERNS:

- Lots have been historically zoned as Industrial
- Property borders C-2 zoning district to the south on the waterfront side of Halibut Point Road and properties across Halibut Point Road
- Current use of property including commercial dock, boat storage, and fuel dealers are also permitted uses in C-2 zoning.
- New proposed uses for property include brewery, food service, and expanded retail. General retail and eating/drinking places are allowed by right in the C-2 zone. Breweries and wineries are conditional uses in the C-2 zone.
- Given the use of the dock and shore facilities for cruise ship passengers, as well as the scarcity of Industrial land, there may be community interest in changing allowable uses of the property.

ATTACHMENTS

Attachment A: Aerial
Attachment B: Zoning Map
Attachment C: Sitka Industrial Zones
Attachment D: Photos
Attachment E: Applicant Materials

PROJECT DESCRIPTION

The applicants are requesting a zoning map amendment from Industrial zoning to C-2 commercial zoning for their lots at 4513, 4521, and 4533 Halibut Point Road.

No public comments have been received at the time of writing this staff report.

In deliberations, commissioners need to keep in mind all C-2 permitted uses as the owner(s) could sell, and the current (or proposed) uses could change. Further, this location houses cruise ship infrastructure; there may be community-wide impacts for changes in use at this location. Relevant consideration also includes the limited Industrial zones in town; a map of all Industrial zones is attached.

BACKGROUND

The lots have been zoned Industrial historically. This is a cluster of 3 lots within an Industrial zone which borders a C-2 zone. Adjacent industrial uses include shipping and storage for Alaska Marine Lines, as well as a rock quarry across the street. Given the broad allowable uses of the C-2 zone, surrounding uses in the neighboring C-2 zone include single-family residential, multifamily residential, commercial storage/warehousing, food manufacturing, and a tannery.

The applicant is motivated to pursue this zone change because they would like expand infrastructure and services to cruise ship passengers (whose numbers are forecasted to grow substantially in the coming years). Proposed development of the area includes more covered space, restrooms, tour departure staging, a restaurant, a brewery and taproom, and retail services. The applicant has included a narrative in their application to more fully outline their proposed use of the property if the zoning map amendment is successful.

Descriptions of each zoning district:

SGC 22.16.110 – I industrial district.

A. *Intent. The industrial district is intended for industrial or heavier commercial uses including warehousing, wholesale, and distribution operations, manufacturing, natural resource extraction, contractors' yards and other such uses that require larger property or larger water and sewer services*.

SGC 22.16.080 – C-1 general commercial district or C-2 general commercial mobile home district.

A. Intent. The general commercial district is intended to be served by major essential utilities and to include those areas which are heavily dependent on vehicular access. The district is intended for those areas surrounding major intersections where personal services, convenience goods, and auto-related service facilities are desirable and appropriate land uses. The extension of the general commercial district long the roads in a strip fashion is to be discouraged.

B. All provisions of the C-1 district apply in the C-2 district, except that permitted uses also include manufactured homes on single lots and manufactured home parks.

ANALYSIS

Project / Site: Main lots to be rezoned are 100,789 square feet (4513 HPR) and 49,149 square feet (4521 HPR). Lots currently have open space for parking and storage, and the haul out space/equipment/infrastructure. Towards the road on 4513 HPR, there is an approximately 5,000 square foot passenger terminal currently used for passenger staging.

Proposed usages if the ZMA is successful include new buildings for a restaurant, restrooms, a brewery and taproom, tour sales, staging, and retail. The property owners have made public their plans to no longer operate a boat haul out at this location.

Traffic: Staff anticipates that this ZMA would ultimately create additional traffic to the parcels as compared to what is currently happening; more traffic should be expected in commercial zones. Halibut Point Road is a major arterial highway that can be expected to carry high traffic loads. Further, if cruise ship passenger numbers are to increase, much of the increased traffic over the next five years will occur regardless of this ZMA.

Parking: The lots all have adequate space to accommodate off street parking as may be required for future uses.

Noise: Industrial use generally generates more noise than general commercial. Increased noise disturbance may occur with increased cruise passengers regardless of zoning change. Would be generally limited to day/business hours on a seasonal basis.

Public Health or Safety: No impacts to public health or safety anticipated.

Habitat: No concerns for habitat.

Property Value or Neighborhood Harmony: Industrial property is generally valued higher as there are fewer usage restrictions. However, the value of added allowable uses involving the sales of goods and services may be higher. The expansion of cruise passengers and facilities is an economic gain for Sitka. Concentration of visitors in the area may detract from neighborhood harmony, particularly for residential neighbors. However, this should be measured as an incremental impact, as the existing infrastructure and allowable uses under current Industrial zoning will already bring visitor traffic to the area.

Comprehensive Plan: The proposal directly correlates to ED 6.5: *Support growth of Sitka's independent cruise related and heritage tourism work and enterprises* by expanding cruise ship related facilities and services. However, the proposal could contribute to issues identified in LU 6.2: *Prevent future incompatible land use between residential, light commercial, heavy commercial, and industrial uses* as the C-2 zoning has already contributed to (what some may consider) non-complementary uses in the area; the mix of residential, commercial, and industrial uses within a condensed area. Whether or not this zoning change would alleviate, or exacerbate, incompatible land use is likely dependent on the overall view of the neighborhood and the community.

STAFF RECOMMENDEDATION/CONCLUSION

From a zoning code perspective, the request avoids two major zoning conflicts. First, the request does not result in spot zoning. There is adjacent C-2 zoning; this ZMA would extend the C-2 zone. Secondly, the current infrastructure and uses of the lot are compatible and consistent with C-2 district regulations. Therefore, from a code administration standpoint, staff recommends approval.

There are two community-driven, policy considerations to be made; the presence of a cruise ship dock on the property, and the scarcity of Industrial land in Sitka. The cruise ship dock operation is an important driver of the tourism industry and serves as a gateway of visitors into the community. The surrounding uses, facilities, and services of the area will influence the visitor dispersion throughout town.

Industrial zoned land in Sitka is scarce; maps of the Industrial land are provided in the packet. The Commission should consider the ramifications of removing these properties from the "inventory" of Industrial land. There may be opportunities to open more industrial land; however, Industrial land can be difficult to establish as it is generally the highest impact use.

The goal of the Planning Department is to "facilitate citizen directed, community growth." The community-driven, policy questions this ZMA raises must be heard by, commented on, and ultimately decided by the community. Staff maintains a neutral position on these issues.

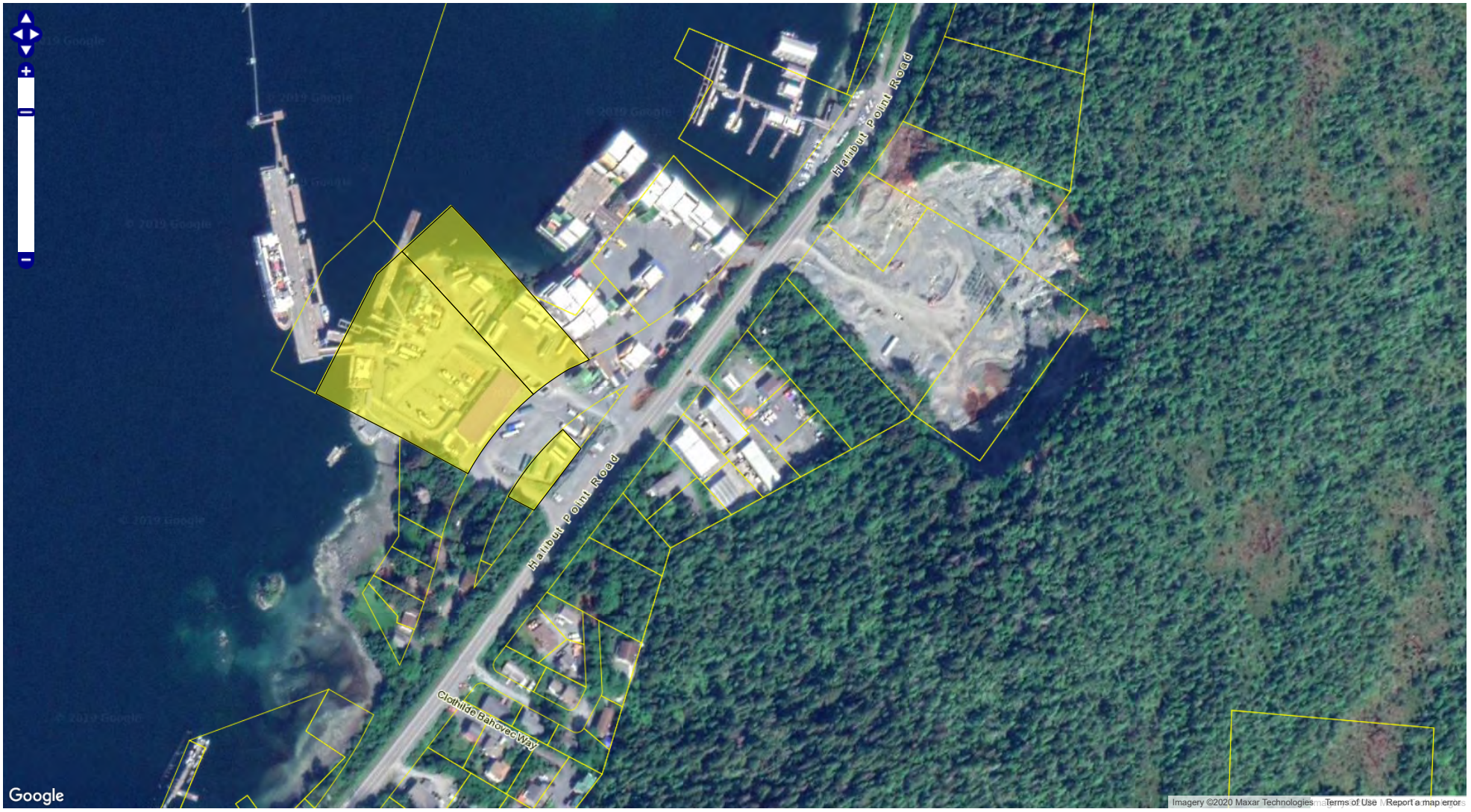
RECOMMENDED MOTIONS

1) **"I move to recommend approval of the zoning map amendment to rezone 4513, 4521, and 4533 Halibut Point Road from the Industrial district to the C-2 general commercial and mobile home district. The properties are also known as Lot A, HPM Subdivision, Lot 55, U.S. Survey 3475, and a portion of Lot Fifty-one (51), U.S. Survey 3475. The request is filed by Chris McGraw and Charles McGraw. The owners of record are Halibut Marine Services, LLC and Charles McGraw."**

2) **"I move to adopt the findings as listed in the staff report."**

   The commission finds that**:**

   a. The zoning map amendment does not negatively impact the public health, safety, and welfare,
   b. The zoning map amendment has followed all code regarding amending the official zoning map with regards to public process;
   c. The zoning map amendment will not result in adverse effects on surrounding neighbors.
   d. The zoning map change is consistent with the public purpose of increasing commercial opportunities.
   e. The zoning map amendment comports with the Comprehensive Plan by aligning with goal ED 6.5: *Support growth of Sitka's independent cruise related and heritage tourism work and enterprises*.


Halibut Point Road
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Imagery ©2020 Maxar Technologies
Terms of Use
Report a map error

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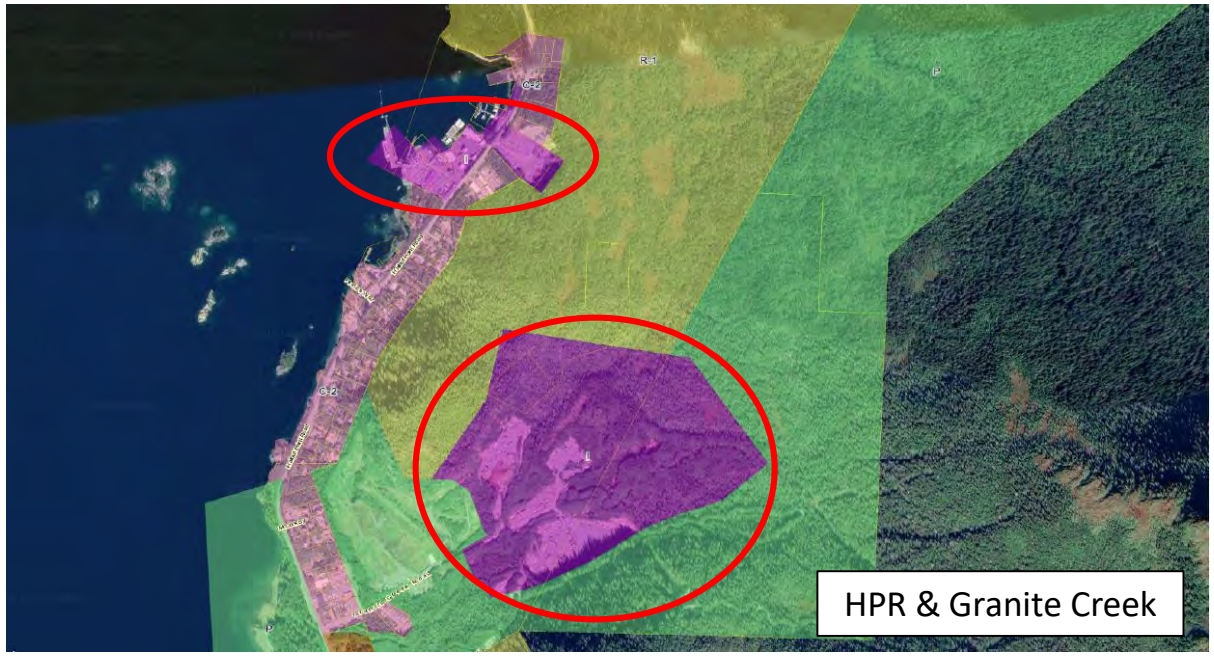
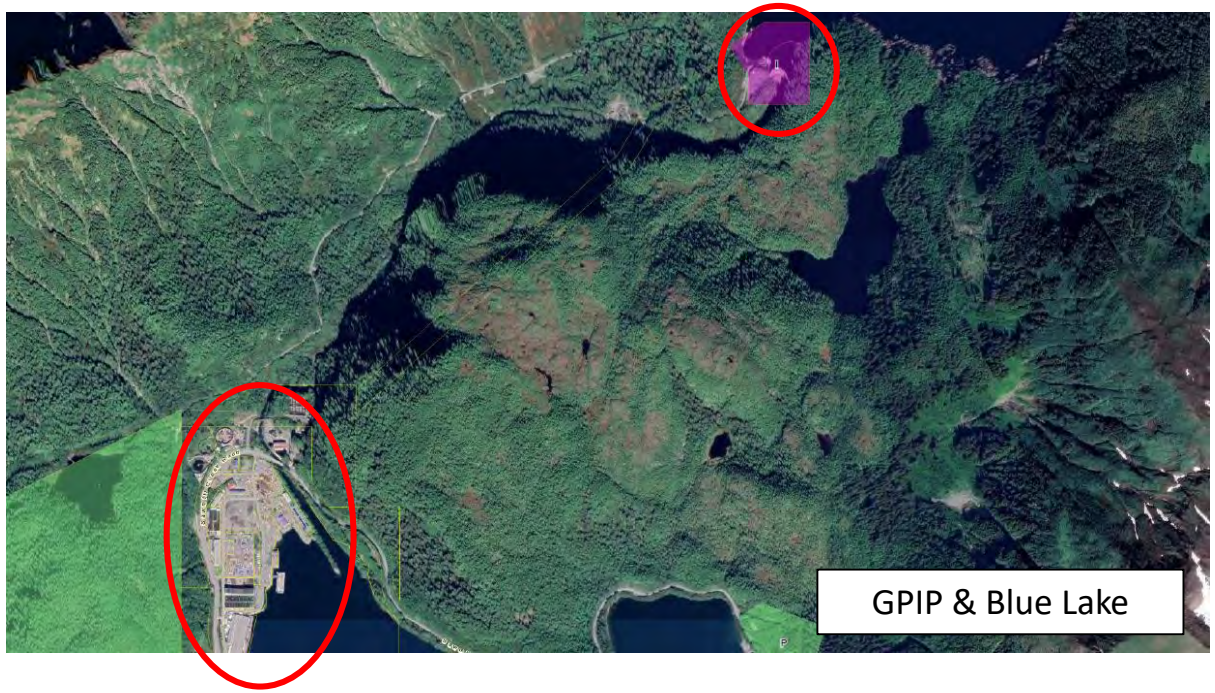
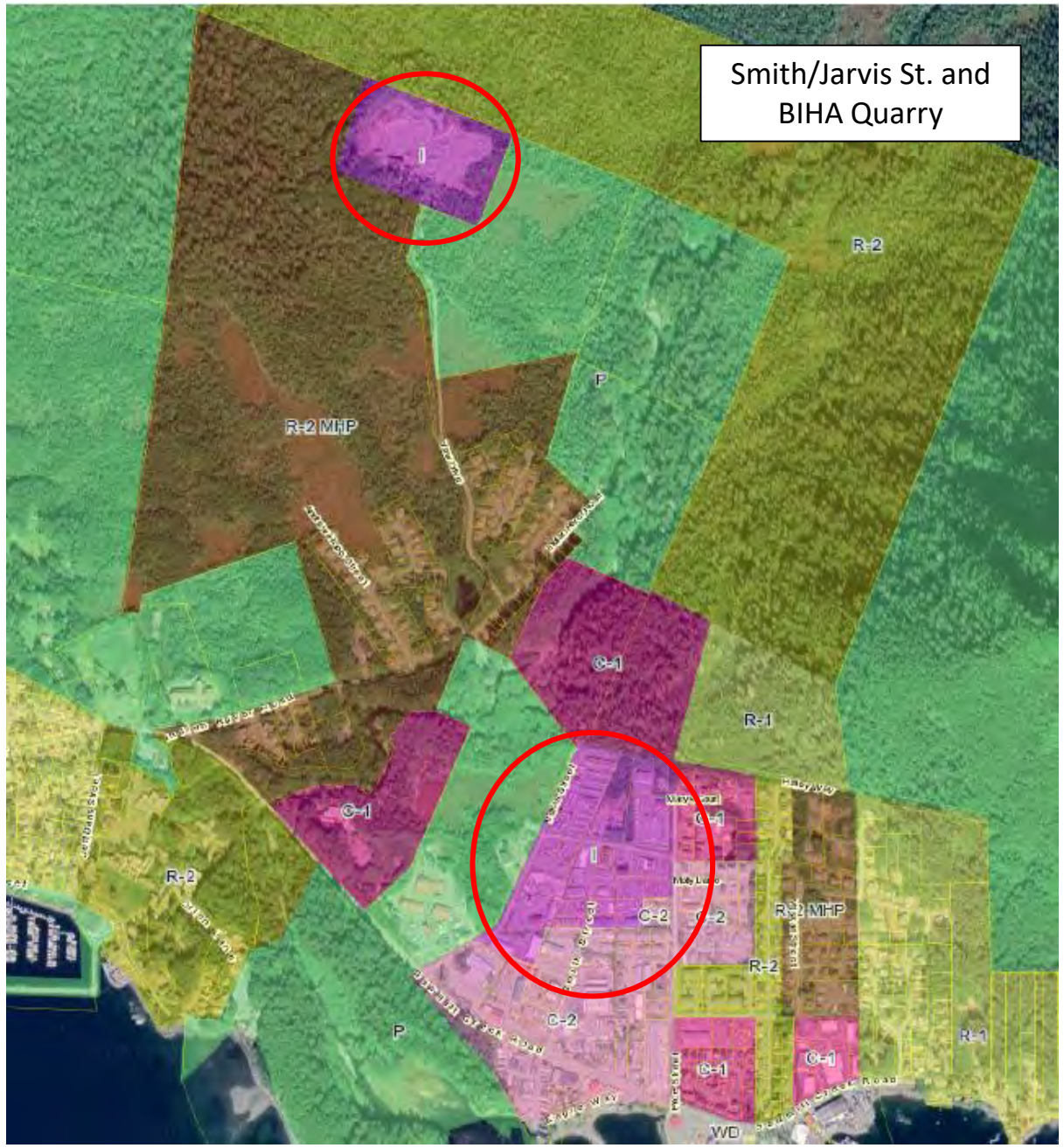

HPR & Granite Creek


GPIP & Blue Lake


Smith/Jarvis St. and
BIHA Quarry
R-2
R-2 MHP
P
C-1
R-1
C-2
WD

NORTHLAND

Need/Hardship/Justification:
Cruise passenger traffic at the Halibut Point Cruise terminal has increased from approximately 15,000 passengers in 2013 to an estimated 300,000+ in the coming years. This growth has resulted in a change in focus for the facility from a multi-use site that included both industrial and commercial activities to a site that host primarily commercial related activities. In addition, this increase will result in the need for additional structures to be constructed to allow for more covered space including restrooms, tour departure staging, and expansion of the existing temporary restaurant into a fixed building to accommodate the additional passenger demand. A fixed structure for food and beverage is not a permitted use in the Industrial Zone. The change to C-2 will allow for the construction and operation of the expanded restaurant. In addition, Baranof Investments which is the company that is taking over Baranof Island Brewing is wanting to have a tap room at the cruise terminal to allow for increased sales and support the year-round operation of a local brewery.

Public Benefit of Proposal
Cruise ships worldwide and in Alaska are getting larger. Ports are needing to upgrade their infrastructure in order to be able to accommodate these ships. Juneau, Icy Strait Point, Ketchikan, and Skagway have all either upgraded their facilities or are in the process of doing so. In order for Sitka to remaining competitive and be a viable port for new ship deployments, Halibut Point is expanding its dock facilities next winter. This upgraded dock facility will allow for larger number of passengers to visit Sitka. With the increased dock infrastructure, Halibut Point needs to improve its uplands infrastructure to accommodate the additional number of passengers to ensure that the passengers have a pleasurable experience and that they can efficiency be dispatched on to tours, and on the shuttle to downtown Sitka.

The increase in cruise visitors will have a direct impact on local sales. Cruise passengers purchase retails goods, tours, eat at local restaurants, and visit local historical sites and attractions. These purchases add money to the local economy and directly increase sales tax revenues to the City and Borough of Sitka which effect every Sitkan by providing additional funding for local services, schools, road maintenance, and facilities.

Consistency with Comprehensive Plan
ED 6.5 of the comprehensive plan is an Economic Development Action to "Support growth of Sitka's independent, cruise-related, and heritage tourism work and enterprises.

Changing the zoning of these lots from I to C-2 allows for the expansion of the Halibut Point Cruise Terminal to allow the facility to accommodate additional cruise traffic. The only way Sitka is going to grow its cruise related traffic is through increasing the ships that visit Sitka. In order to attract additional ships to Sitka, we need to have adequate facilities that can accommodate the new ships and compete with new facilities that are being constructed in other ports in Alaska.

By growing cruise traffic, it will also help to grow both the independent and heritage tourism enterprises. Increased number of cruise visitors will directly increase the number of visitors that heritage-based tourism business host. In addition, studies have shown that a percentage of cruise passengers that visit a port come back to that port in later years as independent travelers. Therefore, by increasing the number of cruise visits to Sitka, it helps to grow the independent traveler market for the future.

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

- **Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.**
- **Review guidelines and procedural information.**
- **Fill form out completely. No request will be considered without a completed form.**
- **Submit all supporting documents and proof of payment.**

APPLICATION FOR: ☐ VARIANCE ☐ CONDITIONAL USE ☑ ZONING AMENDMENT ☐ PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Rezone Lot A HPM Subdivision and Lot 55 US Survey 3475 and Prn Lot 51 US Survey 3475 to C-2 Zoning District from I Zoning District

PROPERTY INFORMATION:

CURRENT ZONING: Industrial PROPOSED ZONING (if applicable): C-2

CURRENT LAND USE(S): Boat Yard, Freight Yard, Cruise Ship Port PROPOSED LAND USES (if changing): Cruise Ship Port

APPLICANT INFORMATION:

PROPERTY OWNER: Halibut Point Marine Services LLC

PROPERTY OWNER ADDRESS: P.O. Box 718 Sitka, AK 99835

STREET ADDRESS OF PROPERTY: 4513 Halibut Point Road

APPLICANT'S NAME: Halibut Point Marine Services LLC

MAILING ADDRESS: P.O. Box 718 Sitka, AK 99835

EMAIL ADDRESS: chris@halibutpointmarine.com DAYTIME PHONE: 907-738-9011

PROPERTY LEGAL DESCRIPTION:

TAX ID: 2586000, 2587000, 25852000 LOT: A, 55, Prn 51 BLOCK: TRACT:

SUBDIVISION: HPM US SURVEY: 3475

McGraw	12-24-19	4513 Halibut Point
Last Name	Date Submitted	Project Address

REQUIRED INFORMATION:

For All Applications:

- [x] Completed General Application form
- [x] Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- [x] Site Plan showing all existing and proposed structures with dimensions and location of utilities
- [x] Floor Plan for all structures and showing use of those structures
- [x] Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- [x] Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- [x] Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- [x] Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- [ ] AMCO Application

For Short-Term Rentals and B&Bs:

- [ ] Renter Informational Handout (directions to rental, garbage instructions, etc.)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Owner	~~12-24-19~~ 12-27-19 Date
Owner	Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Applicant (If different than owner)	Date

McGraw	12-24-19	4513 Halibut Point
Last Name	Date Submitted	Project Address

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
ZONING AMENDMENT APPLICATION

APPLICATION FOR

- [x] ZONING MAP AMENDMENT
- [ ] ZONING TEXT AMENDMENT

ANALYSIS: ***(Please address each item in regard to your proposal)***

- **NEED/HARDSHIP/JUSTIFICATION FOR PROPOSAL:** See Attached

- **PUBLIC BENEFIT OF PROPOSAL:**
  See Attached

- **CONSISTENCY WITH COMPREHENSIVE PLAN (Cite Section and Explain):** ED 6.5
  See Attached Explanation

- **CONSISTENCY WITH PHYSICAL BOUNDARIES (Streets, Major Creeks, etc.):**
  NA- Change will be consistent adjacent zoning.

- **DOES NOT RESULT IN SPOT ZONING BECAUSE:**
  All adjacent property other than the parcel to the north is zoned C-2.

- **PUBLIC HEALTH, SAFETY, AND WELFARE:** A zoning change from I to C-2 does not result in increased noise or traffic to the site and does not effect public health, safety or welfare.

Applicant	12-27-19 Date

McGraw	12-27-19	4513 Halibut Point Road
Last Name	Date Submitted	Project Address

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

1/9/2013 — C. McDraw
DATE — OWNER (SIGNATURE)

DATE — OWNER (SIGNATURE)

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 9th DAY OF January, 20 13, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED for Halibut Point Marine Services LLC.

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND he ACKNOWLEDGED TO ME THAT he SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES 9/1/2016

Melissa Henshaw
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

STATE OF ALASKA
NOTARY PUBLIC
MELISSA HENSHAW
My Commission Expires 9-1-2016

CERTIFICATE OF PAYMENT OF TAXES
(STATE OF ALASKA)
(FIRST JUDICIAL DISTRICT)

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF Halibut Point Marine Services, LLC.
AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA, ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20 13 WILL BE DUE ON OR BEFORE 8/31/2013

DATED THIS 10th DAY OF January, AT SITKA, ALASKA

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. P12-03 DATED 20 , AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

1/8/2013 — Jeremy Twaddle
DATE — CHAIRMAN, PLATTING BOARD

Melissa Henshaw
SECRETARY

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS, IN THE NAME OF: Halibut Point Marine Services, LLC.
CALL OWNERS OF RECORD, AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 8th DAY OF January 20 13, AT SITKA, ALASKA

FINANCE DIRECTOR
CITY & BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK ____ PAGE ____ DATED ____ 20 ____ AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

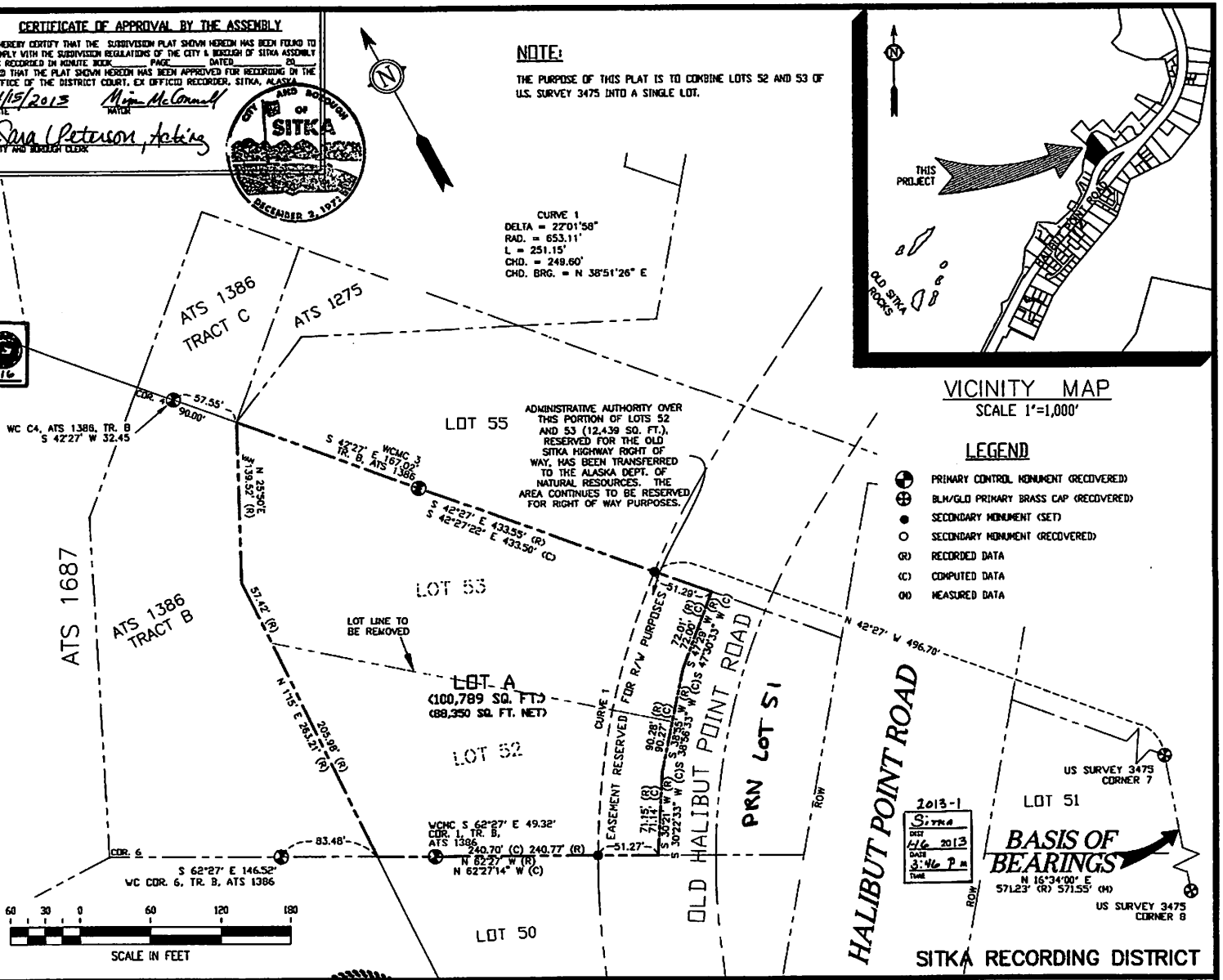
1/15/2013 — Mayor McConnell
DATE — MAYOR

Sara L Peterson, Acting
CITY AND BOROUGH CLERK

CITY AND BOROUGH OF SITKA — DECEMBER 3, 1971

NOTE:

THE PURPOSE OF THIS PLAT IS TO COMBINE LOTS 52 AND 53 OF U.S. SURVEY 3475 INTO A SINGLE LOT.



VICINITY MAP

SCALE 1"=1,000'

LEGEND

- PRIMARY CONTROL MONUMENT (RECOVERED)
- BLM/GLO PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

SITKA RECORDING DISTRICT

O'NEILL
SURVEYING AND ENGINEERING

BOX 1849 SITKA, ALASKA 99835
PHONE: (907) 747-8700
FAX: (907) 747-7990
EMAIL: oneilengr@ak.net

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

STATE OF ALASKA — 49TH — PATRICK E. O'NEILL — LS 6394 — REGISTERED PROFESSIONAL LAND SURVEYOR — 1/8/13

DESIGNED P. O'NEILL
DRAWN KO/ACAD
CHECKED PEO
DATE OF PLAT JAN. 8, 2013 R 021947
SCALE 1" = 60'
DRAWING NAME 30046-48
PROJECT NO. 30046-48-00

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN Dec. 2012 A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

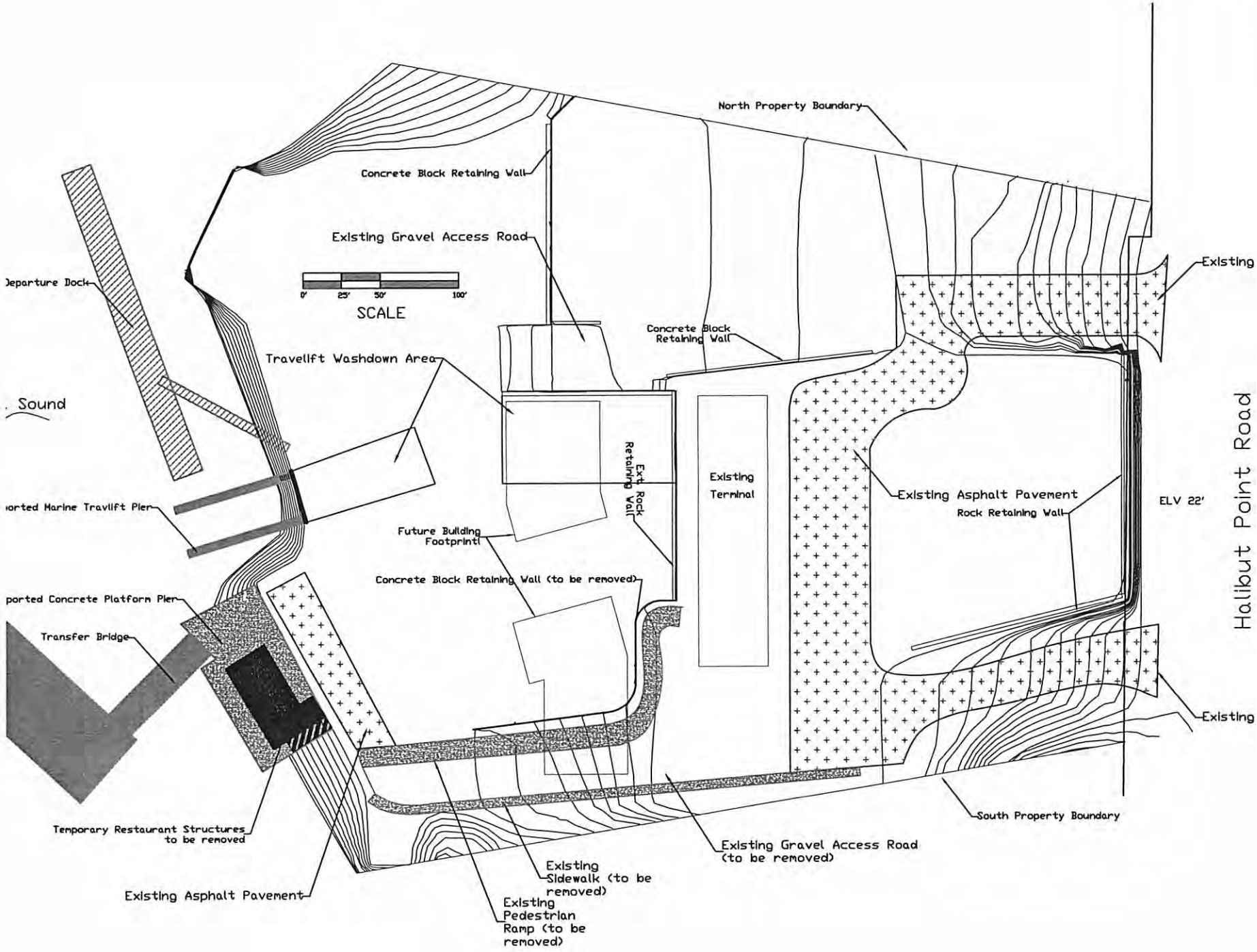
1/8/13 — PATRICK E. O'NEILL LS 6394
DATE

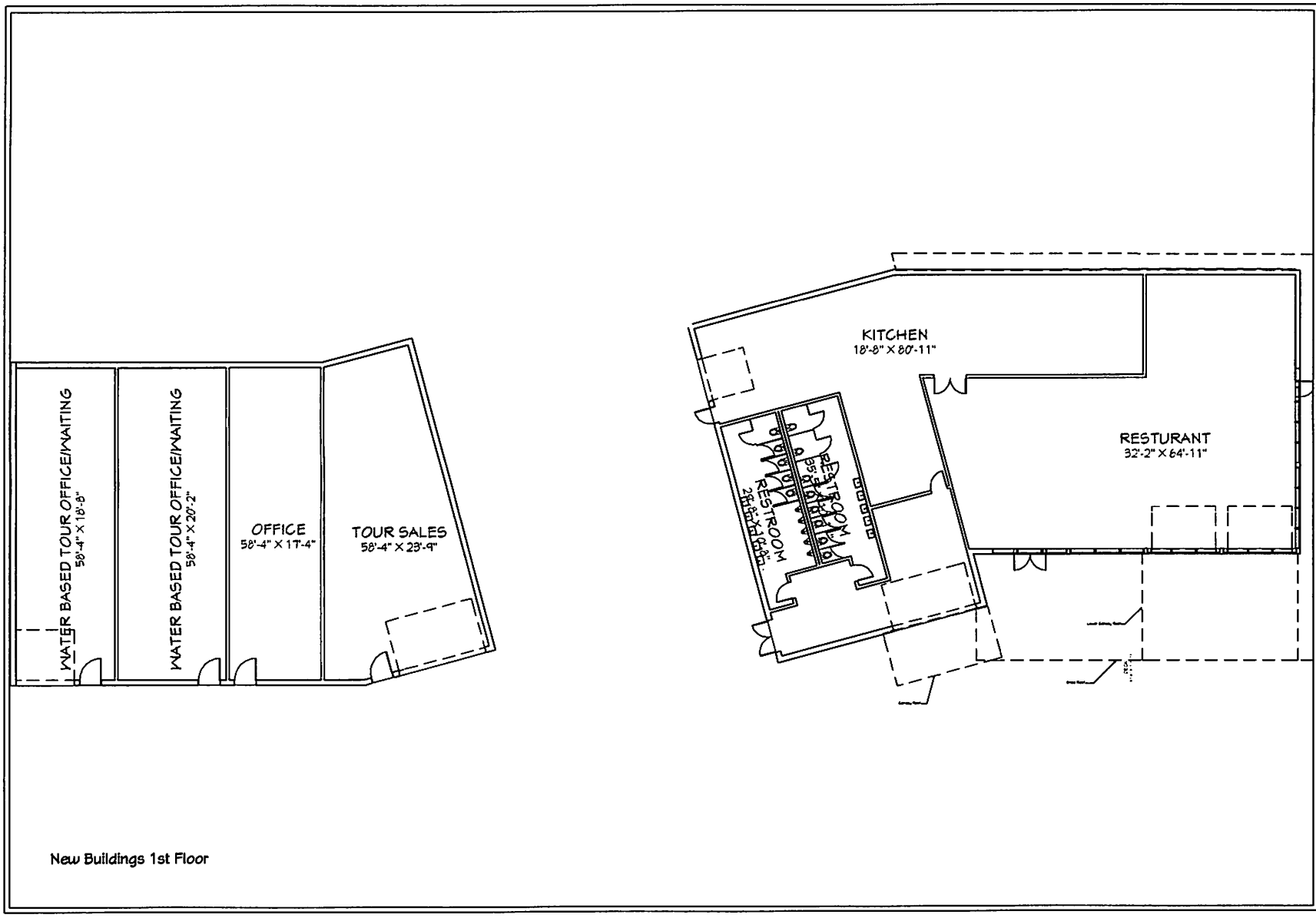
HPM SUBDIVISION

LOT 52 AND 53,
U.S. SURVEY 3475

CLIENT: CHUCK MCGRAW

SHEET 1 OF 1


North Property Boundary
Concrete Block Retaining Wall
Existing Gravel Access Road
0' 25' 50' 100'
SCALE
Departure Dock
Sound
Travelift Washdown Area
Concrete Block Retaining Wall
Existing
Existing Terminal
Ext. Rock Retaining Wall
Existing Asphalt Pavement
Rock Retaining Wall
ELV 22'
Halibut Point Road
ported Marine Travlift Pier
Future Building Footprint
Concrete Block Retaining Wall (to be removed)
ported Concrete Platform Pier
Transfer Bridge
Existing
South Property Boundary
Temporary Restaurant Structures to be removed
Existing Gravel Access Road (to be removed)
Existing Sidewalk (to be removed)
Existing Asphalt Pavement
Existing Pedestrian Ramp (to be removed)



New Buildings 1st Floor

NUMBER	DATE	REVISED BY	DESCRIPTION

REVISION TABLE

HALIBUT POINT UPLANDS

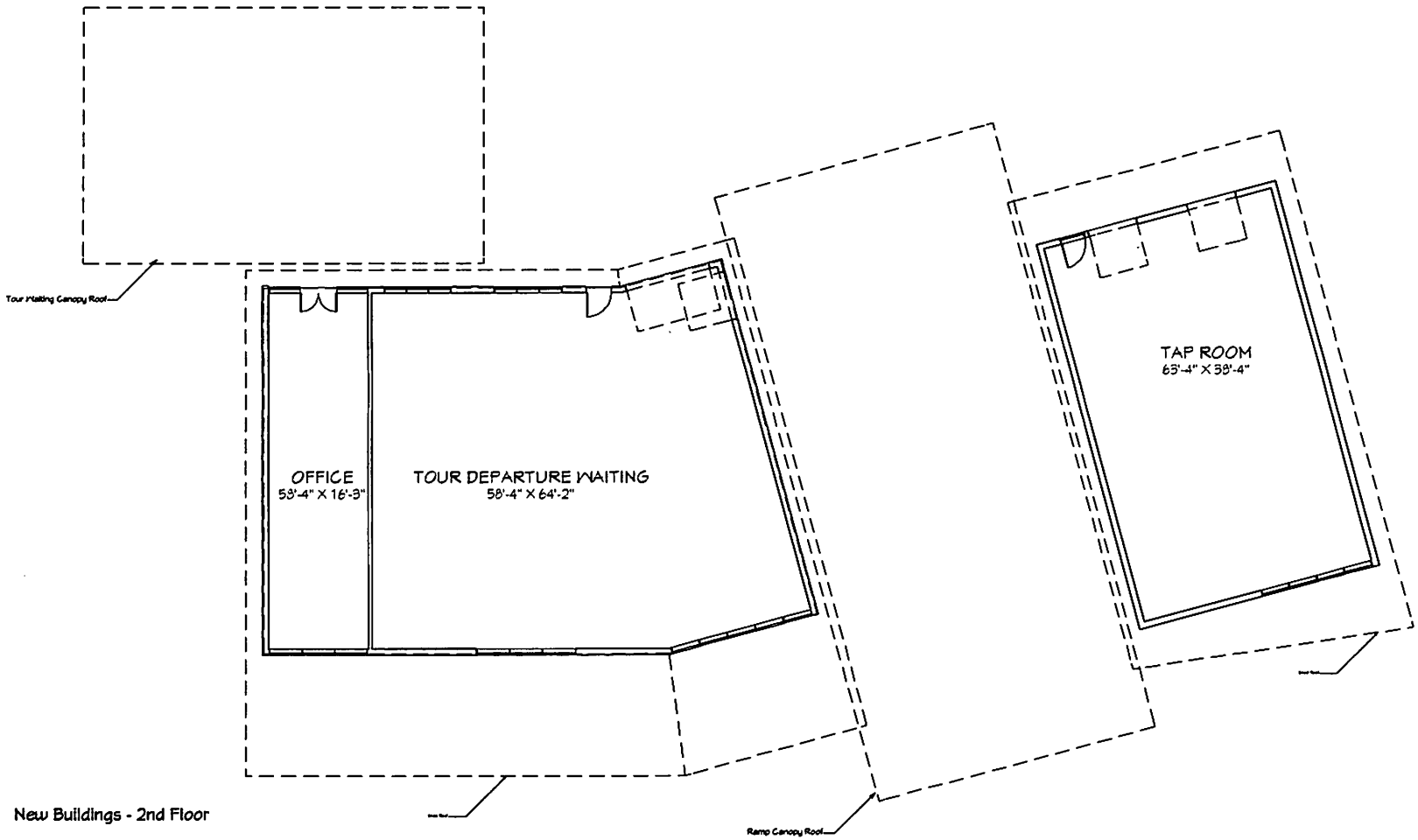
4513 Halibut Point Road

DRAWINGS PROVIDED BY:

DATE: 12/26/19

SCALE: 75/128 in = 1 ft

SHEET: A-3



New Buildings - 2nd Floor

REVISION/ISSUE		
NUMBER/DATE	REVISED BY	DESCRIPTION

HALIBUT POINT UPLANDS

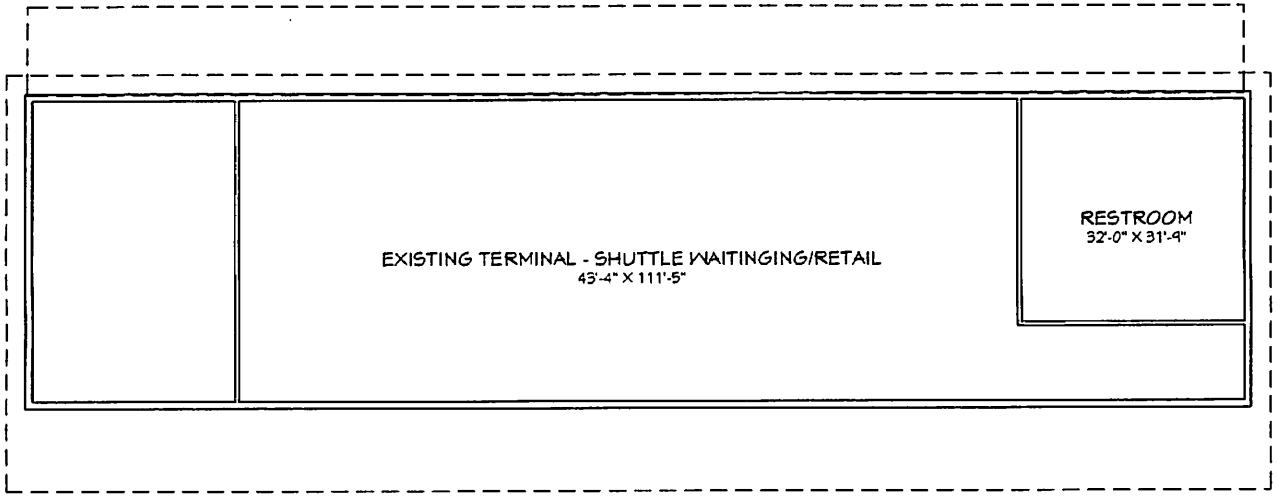
4513 Halibut Point Road

DRAWINGS PROVIDED BY:

DATE: 12/26/19

SCALE: 75/128 in = 1 in

SHEET: A-1



Existing Terminal

NUMBER	DATE	REVISED BY	DESCRIPTION

HALIBUT POINT UPLANDS

4513 Halibut Point Road

DRAWINGS PROVIDED BY:

DATE: 12/26/19

SCALE: 15/128 In = 1 In

SHEET: A-2

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Memorandum

To: Chair Spivey and Planning Commission

Through: Amy Ainslie, Director, Department of Planning and Community Development

From: Scott Brylinsky, Special Projects Manager

Subject: **ZA 19-06 – Tiny Houses: Addendum to Staff Report**

Date: January 8, 2020

ZA 19-06 was first presented and discussed at the December 18, 2019 Planning Commission meeting. This meeting is the second time it is before the Planning Commission.

The item consists of proposed amendments to the Sitka General Code that create a legal status for tiny houses provided they are built to the International Residential Code and inspected by the Building Official prior to use. This includes tiny houses on permanent foundations as well as tiny houses on chassis, with or without wheels.

During discussion at the December 18, 2019 Planning Commission meeting, some questions and considerations were brought forward. This memo addresses those items.

1. How will a tiny house be safely moved over the streets if it is built to the maximum proposed height of 16-feet, considering possible interference with electric lines?

   Before moving a tall unit the Electric Department can be contacted and they will advise on the most advantageous route to minimize interference. Where interference with lines may occur, Electric Department personnel will use push sticks to elevate the lines to provide clearance.

2. What is the legal status of a tiny house built on a chassis? Is it a vehicle or a building?

   The chassis with wheels may be licensed with DMV as a trailer. Then the tiny house, constructed under a building permit, can be transported on that trailer.

   OR

   The tiny house on chassis with wheels could be licensed with DMV as a recreational vehicle. For the tiny house to fit under the parameters outlined in the proposed code amendments, it would still need to be constructed under a building permit and issued a certificate of approval by the Building Official prior to occupancy as a long-term dwelling unit.

3. For a tiny house on chassis to be placed long-term, how would structural adequacy of the ground to support the tiny house's chassis be assured?

   The Building Department routinely oversees adequacy of soils and fill for supporting loads to be placed. Placement of a tiny house on chassis would be no different.

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM

Case No:	ZA 19-06
Proposal:	Amend Titles 6, 19, and 22 to define Tiny Houses and Tiny Houses on Chassis and allow them in Mobile/Manufactured Home Parks
Applicant:	Staff
Owner:	various
Location:	various
Legal:	NA
Zone:	Primarily, but not limited to, R-2MHP, C-2, and WD

PROJECT DESCRIPTION

Amendments to three sections of the Sitka General Code are proposed. The policy intent of the combined changes is to promote the use of tiny houses as an affordable housing option.

KEY POINTS AND CONCERNS

- Defines tiny houses and relaxes certain building code requirements for tiny houses.
- Allows tiny houses on chassis[1] to be placed in mobile/manufactured home parks
- Allows tiny houses on permanent foundations to be constructed in mobile/manufactured home parks
- Changes height maximum in mobile/manufactured home parks from 14' to 16'
- The biggest impact of these proposed changes will be in the R-2MHP, C-2, and WD zoning districts. But tiny houses can be built in any zoning district allowing single family dwellings. Tiny houses on chassis may be placed in any zoning district allowing manufactured homes.

BACKGROUND

Tiny houses have generated interest locally and nationally as an affordable housing option. However, real and perceived zoning and building code barriers have limited widespread use.

The proposed ordinance changes bullet-pointed in the previous section work together to alleviate some of these barriers.

[1] A tiny house on chassis includes tiny houses on wheels, or on a supporting structure with wheels removed, and the chassis remains.

The Building Official administers both the Building Code, adopted in Title 19, and the requirements for mobile/manufactured home parks in Title 6 Chapter 6.12. Planning staff has worked closely with Pat Swedeen, Building Official, in preparing these recommended code changes.

ANALYSIS

Tiny houses are obviously not a good housing fit for everyone, no one housing option is. But there is a need for a housing option for young adults who are starting their careers, who may be new in Sitka with few household goods, who may have come here for a summer job or an internship, and would like to stay. Often they are hindered in finding a toehold in the community by the cost of year-round housing. It is this group, or demographic, that we expect is the primary market for tiny houses.

Title 19

The starting point is to define a "tiny house." The 2018 International Building Code Appendix Q provides a definition: *a dwelling that is 400 square feet or less in floor area excluding lofts*. Appendix Q also recognizes lofts, but most importantly, relaxes code requirements for loft access, allowing steep stairs or ladders as a means of loft access. But importantly, those relaxed code requirements will no longer apply if the structure exceeds 400 square feet, such as if an addition is constructed.

Possible safety issues: the Building Codes are generally strict and unyielding when it comes to stairways. Stairway and ladder falls can be serious. By allowing steeper stairways and ladders, the code is anticipating that tiny house occupants who choose to use a loft have the physical capacity to use the stairs or ladders safely. This is consistent with staff's opinion that the primary market for tiny homes will be younger adults. Although it is beyond the scope of this report, if this proposal is enacted we would suggest as a practical safety matter that staff actively discourage those with limited physical capacity from using a ladder as a means of access to a sleeping loft.

Title 6

The most significant changes to community housing policy are here. The proposed changes:

- Create for tiny houses on chassis, with or without wheels, a legal status provided they are built to the International Residential Code and inspected by the Building Official prior to use. This requirement has been drafted to hopefully encourage local construction of these units, by requiring building permits and inspections during construction. (The draft ordinance does provide a path for units constructed outside Sitka to be used here.)
- Allow tiny houses on chassis to be placed in mobile/manufactured home parks.

- Allow tiny houses to be built on permanent foundations in mobile/manufactured home parks. This opens the door, hypothetically, to the creation of tiny house park(s). Staff believes this proposed code section also provides a path for rehabilitation of dilapidated housing stock in mobile/manufactured home parks.

In the interest of promoting durable affordable housing, the amendments also specify certain prohibited building materials in the construction of tiny houses. These requirements are based on local experience that certain materials and methods normally allowed by code, such as oriented strand board and flat roofs, although cheaper in the short run, simply don't perform well over the long term in our region's climate.

During informal conversations with a few park owners, there was strong support for the proposed code amendments.

Title 22

The proposed changes to the Zoning Code Title 22 parallel and complement those in Title 6 Chapter 6.12. The proposed amendments add parallel definitions of tiny houses and tiny houses on chassis and amend zoning districts as needed to accommodate the changes described under Title 6.

RECOMMENDATION

The Planning Department recommends that the Planning Commission approve the proposed ordinance changes.

ATTACHMENTS

Attachment A: Assembly Action Plan[2]
Attachment B: 2018 International Building Code Appendix Q
Attachment C: Proposed ordinance changes to Sitka General Code 6.12
Attachment D: Proposed ordinance changes to SGC Title 19
Attachment E: Proposed ordinance changes to SGC Title 22

RECOMMENDED MOTION

I move to approve the proposed ordinance changes in principal, recognizing that final housekeeping edits and formatting changes may be made during formal ordinance preparation.

OR

I move to request staff to further develop the proposed ordinances, incorporating suggestions and addressing concerns raised during tonight's deliberations.

[2] The Action Plan was developed, but not formally approved, by the Assembly

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Action Plan

Strategy No. B
Plan No.
Date:

Strategy: We will identify and pursue Economic Development Opportunities.

Specific Result: To pursue options regarding "tiny homes" and/or smaller dwellings (TH/SD's).

#	ACTION STEP (Number each one)	Assigned To:	Start Date:	Due Date:	Completed Date:
1	Assembly will hold a work session to sort through the many housing options and provide direction for the Planning Commission and additional steps to be added to this Action Plan. This is the kickoff of this Action Plan.	Assembly Kevin Knox	2/12	2/12	
2	Planning Commission will review the following current zoning codes with consideration for which codes could/would to changed to enable TH/SD's to be a potential affordable housing option. a. Zoning code residential lot sizes (in works per Sitka Comprehensive Plan 2030; b. Adoption of IRC 2018 Building Codes, specifically TH/SD specifications appendix; c. Chapter 6 Mobile and Manufactured homes to allow TH/SD placement on semi/permanent foundation within mobile/manufactured home parks.	Scott Brylinsky	2/19	3/6	
3	Commission will develop definitions to be used within the zoning codes and regulations that designate what is a Tiny Home and what is a Small Dwelling (transitional size between Tiny Homes and full-size residential homes.	Scott Brylinsky	3/6	4/3	
4	Commission will forward their work in report form to the Assembly, including any recommendations they may have.	Scott Brylinsky	4/3	4/17	
5	Assembly will hold a public hearing(s) regarding code changes to accommodate TH/SD's, and act upon changes they deem appropriate.	Mayor Paxton & Assembly	4/23	5/14	

Proprietary Planning Format: Alaska Educational Options: John Holst Use by CBS granted

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6	Building Inspection Department will work with local builders of TH/SD's to set guidelines for the construction of TH/SD's that will allow for a Certificate of Occupancy to be issued upon completion. The builders will include Building Trade classes at Sitka High School and UAS-Sitka Campus, and private businesses that contemplate construction of TH/SD's for sale in Sitka as well as other locations in Southeast Alaska.	Pat Sweeden	2/19	4/23 & Ongoing	
7	CBS will make known to residents and potential developers that TH/SD's are allowed by the current building codes, and that additional code modifications regarding TH/SD's may be considered in the near future.	Maegan Bosak	2/19	3/1 & Ongoing	
8	CBS will invite developers and/or owners of land parcels to a public meeting to discuss the potential opportunities regarding land development focusing on TH/SD's as well as building codes governing them.	Bosak & Brylinsky	3/1	4/1	
9	CBS shall work with individuals, non-profits, and/or public-private partnerships that could expand the options available, including but not limited to assisting with land designation and/or acquisition of privately owned or CBS owned land.	Brylinsky & Bosak	3/1	Ongoing	
10	This work by the CBS would include zoning designations that would allow and encourage development of both privately owned lots and lots available as rentals to site TH/SD's.	Brylinsky, Sweeden & Bosak	2/19	5/1	
			Responsible:	Scott Brylinsky	

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APPENDIX Q

TINY HOUSES

This provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

User note:

About this appendix: *Appendix Q relaxes various requirements in the body of the code as they apply to houses that are 400 square feet in area or less. Attention is specifically paid to features such as compact stairs, including stair handrails and headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape and rescue opening requirements at lofts.*

SECTION AQ101
GENERAL

AQ101.1 Scope. This appendix shall be applicable to *tiny houses* used as single *dwelling units*. *Tiny houses* shall comply with this code except as otherwise stated in this appendix.

SECTION AQ102
DEFINITIONS

AQ102.1 General. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

EGRESS ROOF ACCESS WINDOW. A *skylight* or roof window designed and installed to satisfy the emergency escape and rescue opening requirements of Section R310.2.

LANDING PLATFORM. A landing provided as the top step of a stairway accessing a *loft*.

LOFT. A floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches (2032 mm) and used as a living or sleeping space.

TINY HOUSE. A *dwelling* that is 400 square feet (37 m^2) or less in floor area excluding *lofts*.

SECTION AQ103
CEILING HEIGHT

AQ103.1 Minimum ceiling height. *Habitable space* and hallways in *tiny houses* shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions including, but not limited to, beams, girders, ducts and lighting, shall not extend below these minimum ceiling heights.

Exception: Ceiling heights in *lofts* are permitted to be less than 6 feet 8 inches (2032 mm).

SECTION AQ104
LOFTS

AQ104.1 Minimum loft area and dimensions. *Lofts* used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AQ104.1.1 through AQ104.1.3.

AQ104.1.1 Minimum area. *Lofts* shall have a floor area of not less than 35 square feet (3.25 m^2).

AQ104.1.2 Minimum dimensions. *Lofts* shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AQ104.1.3 Height effect on loft area. Portions of a *loft* with a sloped ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

Exception: Under gable roofs with a minimum slope of 6 units vertical in 12 units horizontal (50-percent slope), portions of a *loft* with a sloped ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the *loft*.

AQ104.2 Loft access. The access to and primary egress from *lofts* shall be of any type described in Sections AQ104.2.1 through AQ104.2.4.

AQ104.2.1 Stairways. Stairways accessing *lofts* shall comply with this code or with Sections AQ104.2.1.1 through AQ104.2.1.5.

AQ104.2.1.1 Width. Stairways accessing a *loft* shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The width below the handrail shall be not less than 20 inches (508 mm).

AQ104.2.1.2 Headroom. The headroom in stairways accessing a *loft* shall be not less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

AQ104.2.1.3 Treads and risers. Risers for stairs accessing a *loft* shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height.
2. The riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.

AQ104.2.1.4 Landing platforms. The top tread and riser of stairways accessing *lofts* shall be constructed as a *landing platform* where the *loft* ceiling height is less

than 6 feet 2 inches (1880 mm) where the stairway meets the *loft*. The *landing platform* shall be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the *loft*, and 16 to 18 inches (406 to 457 mm) in height measured from the *landing platform* to the *loft* floor.

AQ104.2.1.5 Handrails. Handrails shall comply with Section R311.7.8.

AQ104.2.1.6 Stairway guards. Guards at open sides of stairways shall comply with Section R312.1.

AQ104.2.2 Ladders. Ladders accessing *lofts* shall comply with Sections AQ104.2.1 and AQ104.2.2.

AQ104.2.2.1 Size and capacity. Ladders accessing *lofts* shall have a rung width of not less than 12 inches (305 mm), and 10-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200-pound (75 kg) load on any rung. Rung spacing shall be uniform within $^3/_8$ inch (9.5 mm).

AQ104.2.2.2 Incline. Ladders shall be installed at 70 to 80 degrees from horizontal.

AQ104.2.3 Alternating tread devices. Alternating tread devices accessing *lofts* shall comply with Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

AQ104.2.4 Ships ladders. Ships ladders accessing *lofts* shall comply with Sections R311.7.12.1 and R311.7.12.2. The clear width at and below handrails shall be not less than 20 inches (508 mm).

AQ104.2.5 Loft Guards. *Loft* guards shall be located along the open side of *lofts*. *Loft* guards shall be not less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.

SECTION AQ105
EMERGENCY ESCAPE AND RESCUE OPENINGS

AQ105.1 General. *Tiny houses* shall meet the requirements of Section R310 for emergency escape and rescue openings.

Exception: *Egress roof access windows* in *lofts* used as sleeping rooms shall be deemed to meet the requirements of Section R310 where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the *loft* floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1.

Chapter 6.12
MOBILE AND MANUFACTURED HOMES AND MOBILE AND MANUFACTURED HOME PARKS[3]

Sections:

6.12.010 Definitions.

6.12.020 Enforcement.

6.12.030 Permits required.

6.12.040 Mobile and manufactured home park permit—Application material required.

6.12.050 Existing mobile and manufactured home parks permitted before August 1, 2010—Design requirements.

6.12.055 New mobile and manufactured home parks permitted on or after August 1, 2010—Design requirements.

6.12.058 New and existing mobile and manufactured home parks—Design requirements.

6.12.060 Recreational vehicle parks— Design requirements.

6.12.070 Granting or rejection of permits.

6.12.080 Appeals.

6.12.100 Permit—Revocation.

6.12.110 Sanitary and health regulations.

6.12.130 Mobile and manufactured home park—Register of occupants.

6.12.135 Mobile and manufactured home park—Registered owner's agent required.

6.12.140 Mobile home/manufactured home—Uses—Permit.

6.12.160 Mobile and manufactured home park—Numbering spaces required.

6.12.180 Reserved.

6.12.190 Use as residence or sleeping quarters.

6.12.200 Construction requirements.

6.12.210 Existing structures.

6.12.010 Definitions.

For the purpose of this chapter, the following terms have the meanings respectively ascribed to them in this section, unless from the particular context it clearly appears that some other meaning is intended:

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A. “Access road” means a private road which does not extend beyond the boundaries of a mobile and manufactured home park and which provides the principal means of access to abutting individual spaces and auxiliary buildings;

B. CERTIFICATE OF APPROVAL – a document issued by the Building Official certifying a tiny house on chassis’ compliance with applicable building codes and other laws, and indicating it to be in a condition suitable for occupancy

C. CERTIFICATE OF OCCUPANCY – a document issued by the Building Official certifying a building's compliance with applicable building codes and other laws, and indicating it to be in a condition suitable for occupancy

~~B~~ **D**. “Manufactured home” means a structure constructed on or after June 15, 1976, according to United States Department of Housing and Urban Development (“HUD”) standards, transportable in one or more sections which, in the traveling mode, is eight feet (two thousand four hundred thirty-eight millimeters) or more in width or forty feet (twelve thousand one hundred ninety-two millimeters) or more in length or, when erected on site, is three hundred twenty square feet (thirty square meters) or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating and electrical systems. “Manufactured home” shall also include any structure which meets all the requirements of this definition listed above, except the size requirements, and has a manufacturer certificate required by HUD that complies with HUD standards for a manufactured home;

~~C~~ **E**. “Mobile home” means a structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight feet (two thousand four hundred thirty-eight millimeters) or more in width or forty feet (twelve thousand one hundred ninety-two millimeters) or more in length or, when erected on site, is three hundred twenty square feet (thirty square meters) or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes plumbing, heating, and electrical systems;

~~D~~ **F**. “Mobile and manufactured home park” means any park, court, parcel or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than ~~three~~ **TWO** units that includes mobile homes and/or manufactured homes, **TINY HOUSES ON CHASSIS, AND/OR TINY HOUSES** and includes all buildings used or intended for use as a part of the equipment thereof, whether or not a charge is made for the use of the park and its facilities. A mobile and manufactured home park does

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not include lots on which unoccupied mobile or manufactured homes are parked for the purpose of inspection and sale;

~~E~~ **G**. "Person" includes an individual, partnership, firm, company, corporation; whether tenant, owner, lessee, or licensee, or their heir or assign;

~~F~~ **H**. "Play yard" means an area specifically set aside for the use of children, which area shall not be included within any mobile or manufactured home spaces;

~~G~~ **I.** "Public street" means any street, road or highway of which the general public has the right of common enjoyment or which is publicly maintained;

~~H~~ **J**. "Recreational vehicle" means a vehicle built on a single chassis that is four hundred square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light-duty truck, and is designed not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use;

~~I~~ **K**. "Recreational vehicle park" means any park, court, parcel or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodation for recreational vehicles.

~~J~~ **L**. "Space" means a plot of ground in a mobile and manufactured home park permitted on or after August 1, 2010, of not less than three thousand square feet of space designed for the location of at least two automobiles and only one unit. "Space" means a plot of ground of a mobile and manufactured home park permitted prior to August 1, 2010, of not less than one thousand eight hundred square feet designed for the location of at least one automobile and only one unit;

M. "TINY HOUSE" MEANS A DWELLING THAT IS 400 SQUARE FEET OR LESS IN FLOOR AREA EXCLUDING LOFTS, AND PLACED ON A PERMANENT FOUNDATION.

N. "TINY HOUSE ON CHASSIS" MEANS A DWELLING THAT IS 400 SQUARE FEET OR LESS IN FLOOR AREA EXCLUDING LOFTS, AND IS ON A CHASSIS WITH OR WITHOUT WHEELS.

~~K~~. **O** "Unit" means a mobile home**,** ~~or~~ a manufactured home**, OR A TINY HOUSE OR TINY HOUSE ON CHASSIS.**

(Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004: B.C.S. § 8.08.010.)

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6.12.020 Enforcement.

The provisions of this chapter shall be enforced by the municipal building official, who shall be appointed by the municipal administrator for such term and subject to such conditions and such rates of compensation as the municipal administrator directs. No permit or certificate of occupancy **OR CERTIFICATE OF APPROVAL** shall be issued for a mobile and manufactured home park or mobile or manufactured home **OR TINY HOUSE OR TINY HOUSE ON CHASSIS** unless the plans and facilities comply with the provisions of this chapter. (Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004: B.C.S. § 8.08.020.)

6.12.030 Permits required.

No land shall be used for a mobile or manufactured home park or recreational vehicle park unless a permit is issued by the municipal building official under the terms of this chapter.

It is unlawful for any person, firm or corporation to operate, manage or maintain any mobile or manufactured home park or recreational vehicle park within the city and borough without a permit authorizing the operation of such park.

IT IS UNLAWFUL FOR ANY PERSON, FIRM, OR CORPORATION TO PLACE OR ADD ONTO A MOBILE OR MANUFACTURED HOME OR TINY HOUSE ON A CHASSIS WITHOUT A PERMIT AUTHORIZING THE PLACEMENT OF, OR ADDITION TO, SUCH UNIT.

6.12.040 Mobile and manufactured home park permit—Application material required.

A complete plot plan and the following supplementary material shall be submitted to the municipal building official and the planning department, as well as the planning commission, when appropriate, for review and approval prior to the issuance of a mobile and manufactured home park permit:

A. Applicant's name, address and legal interest in the property;

B. Area and dimensions of the tract of land and land uses within one hundred feet;

C. Legal description of perimeter;

D. Engineering plans and specifications for the proposed mobile and manufactured home park. These shall include:

1. Number, location and size of all spaces;

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2. Location, width and surfacing of roadways, off-street parking and walkways;

3. Location and size of any existing or proposed buildings and structures within the mobile and manufactured home park;

4. Methods and plans of domestic and fire protection water supply, surface drainage and erosion control, sewage disposal, electrical supply and garbage disposal;

5. Location of the permanent monuments required in Section 6.12.050; and

6. Location and mapping of any portion of the property located within a federal flood hazard area according to the Flood Insurance Rate Map.

(Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004: Ord. 82-507 § 4 (part), 1982; B.C.S. § 8.08.040.)

6.12.050 Existing mobile and manufactured home parks permitted before August 1, 2010—Design requirements.

A. There shall be at least one permanent monument located within the boundaries of each mobile and manufactured home park, preferably at one of the property corners. Such monument shall be of the same nature as the monuments required by other sections of this code related to platting, as defined in the presently existing sections or as defined in any future sections. Such monument shall be shown on the plot plan required by Section 6.12.040.

B. ~~Mobile and manufactured homes,~~ **UNITS** shall be parked **OR CONSTRUCTED** in spaces so that a fifteen-foot front yard and ten-foot rear yard setback are observed. The side yard setback shall be no less than five feet. No mobile or manufactured home, **TINY HOUSE ON CHASSIS, OR TINY HOUSE** shall be placed nearer than twenty-five feet to any highway or arterial street.

C. Play yards shall be at least one hundred square feet per unit. The play yards shall be located so that no mobile or manufactured home is more than five hundred feet from a play yard.

(Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004: Ord. 82-520 § 4 (part), 1982; Ord. 82-507 § 4 (part), 1982; B.C.S. § 8.08.050.)

6.12.055 New mobile and manufactured home parks permitted on or after August 1, 2010—Design requirements.

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A. There shall be one permanent monument located at each of the property corners. Such monument shall be of the same nature as the monuments required by other sections of this code related to platting, as defined in the presently existing sections or as defined in any future sections. Such monument shall be shown on the plot plan required by Section 6.12.040.

B. Units shall be parked in spaces so that an eighteen-foot front yard and ten-foot rear yard setback are observed. The side yard setback shall be no less than five feet. No unit shall be placed nearer than twenty feet to any highway or arterial street, unless the adjacent highway or arterial street is greater than eighty feet in width, in which case no unit shall be placed nearer than ten feet. The park owner or agent shall be responsible for the proper location of each unit and shall be signatory to the required permit application.

C. A mobile and manufactured home park shall have at least one play yard that shall contain a minimum of two thousand square feet, or two hundred square feet per unit, whichever is greater. The play yards shall be located so that no unit is more than five hundred feet from a play yard.

(Ord. 10-10 § 4 (part), 2010.)

6.12.058 New and existing mobile and manufactured home parks—Design requirements.

SHARE

A. Access roads for each unit shall have a minimum width of twenty feet to which every unit shall have direct access. Such roads shall be well maintained all-weather roads. Direct access from any public street or right-of-way to any unit within a mobile and manufactured home park shall not be permitted. Not more than two driveway entrances spaced not less than one hundred feet apart shall be permitted.

B. No major changes or alterations shall be made to any part of the mobile and manufactured home park as outlined in an approved plan without approval by the municipal building official.

C. Mobile and manufactured home spaces, **TINY HOUSE ON CHASSIS SPACES, OR TINY HOUSE SPACES** to be located within any portion of a flood hazard area shall comply with National Flood Insurance Program requirements. The fact that the space is located within a flood hazard area shall be disclosed to the occupant along with any information such as alternate access.

(Ord. 10-10 § 4 (part), 2010.)

6.12.060 Recreational vehicle parks— Design requirements.

SHARE

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A permit shall be issued for a recreational vehicle park upon a showing by the applicant that the design requirements established by the city administrator have been fully complied with. (Ord. 04-63 § 4 (part), 2004: B.C.S. § 8.08.060.)

6.12.070 Granting or rejection of permits.

Whenever the application shows that the proposed mobile and manufactured home park or installation is in conformity with the provisions of this chapter and any applicable zoning and health regulations, the municipal building official shall issue a permit; otherwise the application shall be rejected and the municipal building official shall state in writing the reason for such rejection. (Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004: B.C.S. § 8.08.070.)

6.12.080 Appeals.

Any person feeling aggrieved by a rejection of an application for a permit or certificate of occupancy may file an appeal in the manner provided in Section 6.12.100. (Ord. 04-63 § 4 (part), 2004: B.C.S. § 8.08.080.)

6.12.100 Permit—Revocation.

Any violation of the conditions of the permit or certificate of occupancy will be grounds for revocation of the permit and/or certificate of occupancy, by administrative action of the city and borough building official. Any such revocation may be appealed to the planning commission of the city and borough, who shall hold a hearing on such appeal and make recommendations as to the disposition thereof to the city and borough assembly. The city and borough assembly shall make final disposition of any such appeal. (Ord. 04-63 § 4 (part), 2004: B.C.S. § 8.08.100.)

6.12.110 Sanitary and health regulations.

All sanitary, health, and fire regulations, state and local, shall be met, and violations thereof shall be grounds for revocation of the permit**,** ~~and~~ certificate of occupancy, **OR CERTIFICATE OF APPROVAL** subject to the same appeal procedure as provided in Section 6.12.080. (Ord. 04-63 § 4 (part), 2004: B.C.S. § 8.08.110.)

6.12.130 Mobile and manufactured home park—Register of occupants.

Mobile and manufactured home park operators shall keep a register of the occupants of mobile and manufactured home park spaces. This register shall be given to the planning department. (Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004: B.C.S. § 8.08.130.)

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6.12.135 Mobile and manufactured home park—Registered owner's agent required.

SHARE

Each mobile and manufactured home park owner shall designate a Sitka resident as the owner's agent. The agent shall be empowered to act on the owner's behalf on matters pertaining to park management and maintenance. Contact information for the designated agent shall be given to the planning department. (Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004.)

6.12.140 Mobile and manufactured home—Uses—Permit.

SHARE

Except where a unit is located on a residential lot and lawfully used as a single-family dwelling, no unit shall be used as a place of business or as a place of habitation or stand in the open on any land more than thirty days without first obtaining the permit required in Section 6.12.070. (Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004: B.C.S. § 8.08.140.)

6.12.160 Mobile and manufactured home park—Numbering spaces required.

SHARE

Owners of mobile and manufactured home parks shall clearly number each space serially. The space numbers shall be a minimum of six inches high and clearly visible from the access road. (Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004: B.C.S. § 8.08.160.)

6.12.180 Reserved.

SHARE

Reserved. (Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004: Ord. 78-348 § 4, 1978.)

6.12.190 Use as residence or sleeping quarters.

SHARE

A. No mobile home, manufactured home, recreational vehicle, ~~or~~ other motor vehicle, **OR TINY HOUSE ON CHASSIS, OR TINY HOUSE** shall be used as a residence or sleeping quarters unless:

1. Such unit or vehicle has a designated spot within a mobile and manufactured home park, recreational vehicle park or other area specifically designated by the chief of police; or

2. Such **UNIT OR** vehicle has a permanent spot on other private property, its placement on such property as a residence meets all zoning requirements, and such vehicle meets the standard size requirements and sanitation requirements of a residence under the Sitka General Code.

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3. IN THE CASE OF A TINY HOUSE ON CHASSIS, THE UNIT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE INTERNATIONAL RESIDENTIAL CODE AS LOCALLY ADOPTED AND AMENDED, HAS BEEN INSPECTED AS REQUIRED BY THE INTERANTIONAL RESIDENTIAL CODE , AND HAS BEEN ISSUED A CERTIFICATE OF APPROVAL BY THE BUILDING OFFICIAL. A CERTIFICATE OF APPROVAL IS VALID ONLY FOR THE SPECIFIC LOCATION AT WHICH THE UNIT HAS BEEN INSTALLED AND INSPECTED.

4. IN THE CASE OF A TINY HOUSE, THE UNIT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE INTERNATIONAL RESIDENTIAL CODE AS LOCALLY ADOPTED AND AMENDED, HAS BEEN INSPECTED AS REQUIRED BY THE INTERANTIONAL RESIDENTIAL CODE, AND HAS BEEN ISSUED A CERTIFICATE OF OCCUPANCY BY THE BUILDING OFFICIAL.

B. Except as provided in Section 6.12.210, a recreational vehicle may be used as a temporary but not as a permanent residence, and shall not be occupied for a period of more than one hundred eighty days within a twelve-month period on a single property.

(Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004: Ord. 97-1452 § 4, 1997; Ord. 80-436 § 3, 1980.)

6.12.200 Construction requirements.

SHARE

The following provisions shall apply as of August 1, 2010, to all mobile or manufactured homes, regardless of whether they are located in a mobile and manufactured home park, unless otherwise provided:

A. ~~Prior to August 1, 2010,~~ **A**dditions to units in mobile and manufactured home parks shall be limited to sixteen feet in height. ~~On or after August 1, 2010, additions to any units, regardless if in a mobile and manufactured home park, shall be limited to fourteen feet and one story in height.~~ Height shall be measured as defined in Title 22.

B. Foundation systems shall be approved by the municipal building official. When available, the installation instructions provided by the manufacturer shall be used to determine permissible points of support for vertical loads and points of attachment for anchorage systems used to resist horizontal and uplift forces.

C. All units shall be anchored to resist horizontal and uplift forces in an approved manner. The anchoring system shall be inspected and approved prior to connection of water and sewer utilities.

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D. Skirting shall be required around the complete perimeter of all installations. Skirting shall be of pressure-treated plywood with a minimum of three-eighths-inch thickness, rated siding, metal panels or other approved, weather-resistant material. Skirting shall be provided with an access door and foundation ventilation in accordance with the requirements of the International Residential Code. A minimum six-mil vapor retarder shall be installed on the ground within the skirted area.

E. All additions and interior renovations shall be subject to the provisions of the International Residential Code. Additions to units within a mobile and manufactured home park shall only be permitted with the written approval of the mobile and manufactured home park owner or agent.

F. Accessory buildings in excess of one hundred twenty square feet shall require a building permit and must be located in compliance with the setback requirements of Section 6.12.050(B).

G. The number of required automobile parking spots shall be in compliance with Section 6.12.010(J).

(Ord. 10-10 § 4 (part), 2010: Ord. 04-63 § 4 (part), 2004.)

6.12.205 CONSTRUCTION REQUIREMENTS FOR TINY HOUSES ON CHASSIS AND TINY HOUSES

A. TINY HOUSES ON CHASSIS AND TINY HOUSES SHALL BE LIMITED TO 16 FEET IN HEIGHT. HEIGHT SHALL BE MEASURED AS DEFINED IN TITLE 22.

B. ALL UNITS SHALL BE ANCHORED TO RESIST HORIZONTAL AND UPLIFT FORCES IN AN APPROVED MANNER. THE ANCHORING SYSTEM SHALL BE INSPECTED AND APPROVED PRIOR TO CONNECTION OF WATER AND SEWER UTILITIES.

C. SKIRTING SHALL BE REQUIRED AROUND THE COMPLETE PERIMETER OF ALL INSTALLATIONS OF TINY HOUSES ON CHASSIS. SKIRTING SHALL BE OF PRESSURE-TREATED PLYWOOD WITH A MINIMUM OF THREE-EIGHTHS-INCH THICKNESS, RATED SIDING, METAL PANELS OR OTHER APPROVED, WEATHER-RESISTANT MATERIAL. SKIRTING SHALL BE PROVIDED WITH AN ACCESS DOOR AND FOUNDATION VENTILATION IN ACCORDANCE WITH THE REQUIREMENTS OF THE INTERNATIONAL RESIDENTIAL CODE. A MINIMUM SIX-MIL VAPOR RETARDER SHALL BE INSTALLED ON THE GROUND WITHIN THE SKIRTED AREA.

D. ALL ADDITIONS AND INTERIOR RENOVATIONS SHALL BE SUBJECT TO THE PROVISIONS OF THE INTERNATIONAL RESIDENTIAL CODE. INTALLATION OF, OR ADDITIONS TO, UNITS WITHIN A

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MOBILE AND MANUFACTURED HOME PARK SHALL ONLY BE PERMITTED WITH THE WRITTEN APPROVAL OF THE MOBILE AND MANUFACTURED HOME PARK OWNER OR AGENT.

E. TINY HOUSES ON CHASSIS AND TINY HOUSES SHALL BE CONSTRUCTED IN SITKA UNDER A BUILDING PERMIT AND BE SUBJECT TO INSPECTION DURING CONSTRUCTION.

EXCEPTION: A TINY HOUSE ON CHASSIS CONSTRUCTED OUTSIDE OF SITKA MAY BE USED AS A RESIDENCE OR SLEEPING QUARTERS IF THE APPLICANT CAN DEMONSTRATE TO THE SATISFACTION OF THE BUILDING OFFICIAL THAT IT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE INTERNATIONAL RESIDENTIAL CODE.

F. IN THE INTEREST OF PROVIDING DURABLE AFFORDABLE HOUSING, TINY HOUSES ON CHASSIS AND TINY HOUSES SHALL:

1. NOT EMPLOY ORIENTED STRAND BOARD OR SIMILAR RESIN/WOODSHARD OR WOOD PARTICLE SHEETING MATERIALS IN ANY STRUCTURAL BUILDING COMPONENT,

2. HAVE ROOFS A MINIMUM 2 IN 12 PITCH AND EMPLOY AS ROOFING MATERIALS SHINGLES OR METAL ROOFING (NO ROLLED ROOFING),

3. EMPLOY WOOD, CEMENT BOARD, OR METAL SIDING (NO VINYL OR PLASTIC SIDING).

G. A TINY HOUSE ON CHASSIS OR TINY HOUSE IS LIMITED TO A MAXIMUM SIZE OF 400 SQUARE FEET FLOOR AREA INCLUDING ALL ADDITIONS AND APPURTENANCES, AND NOT INCLUDING LOFTS.

6.12.210 Existing structures.

SHARE

A. Any mobile and manufactured homes located in Sitka prior to August 1, 2010, shall be allowed to remain in Sitka, and any legal use or occupancy of that structure as of August 1, 2010, shall be allowed to continue, unless such continued use or occupancy is dangerous to life, health and safety.

B. No mobile home located in Sitka prior to August 1, 2010, shall be allowed to be relocated to a mobile and manufactured home park permitted on or after August 1, 2010.

C. The following structures shall not be allowed in Sitka on or after August 1, 2010:

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1. Any mobile home manufactured before June 15, 1976, and not located in Sitka prior to August 1, 2010; and

2. Any structure similar to a mobile home that is not a HUD-compliant structure, and not located in Sitka prior to August 1, 2010.

(Ord. 10-10 § 4 (part), 2010.)

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Chapter 19.09
RESIDENTIAL CODE

Sections:

19.09.010 International Residential Code (IRC) adoption by reference.

19.09.015 Scope and administration, IRC Chapter 1 amended.

19.09.020 Dwelling/garage separation, IRC Table R302.6 amended.

19.09.025 Grinder pumps to be accessible, IRC Section R306.3 modified.

19.09.030 Stairways, IRC Section 311 amended.

19.09.035 Automatic fire sprinkler systems, IRC Section R313 deleted.

19.09.040 Garage smoke detector, IRC Section R314.3 amended.

19.09.045 Accessibility, IRC Section R320 deleted.

19.09.050 Under-floor space ventilation, IRC Section R408 modified.

19.09.060 Seismic engineering not required, IRC Section R601.1 amended.

19.09.065 Gutters required, IRC Section R903 modified.

19.09.070 Service disconnect, IRC Section E3601.6.2 modified.

19.09.010 International Residential Code (IRC) adoption by reference.

SHARE

The 2012 International Residential Code for One- and Two-Family Dwellings by the International Code Council, Chapters 1 through 10, 12 through 19, and 34 through 43, **AND THE 2018 INTERNATIONAL RESIDENTIAL CODE APPENDIX Q – TINY HOUSES** is adopted and included by reference. (Ord. 18-15 § 4 (part), 2018.)

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Chapter 22.04
INTRODUCTION AND GENERAL PROVISIONS

(Ord. 02-1683 § 4 (part), 2002.)

Chapter 22.08
DEFINITIONS

Sections:

22.08.797 Tidelands.

22.08.798 TINY HOUSE

22.08.799 TINY HOUSE ON CHASSIS

22.08.800 Townhouse.

Figure 22.08.510

22.08.585 Manufactured home.

SHARE

"Manufactured home" means a structure constructed on or after June 15, 1976, according to the United States Department of Housing and Urban Development ("HUD") standards, transportable in one or more sections which, in the traveling mode is eight feet (two thousand four hundred thirty-eight millimeters) or more in width or forty feet (twelve thousand one hundred ninety-two millimeters) or more in length or, when erected on site, is three hundred twenty square feet (thirty square meters) or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating and electrical systems. "Manufactured home" shall also include any structure which meets all the requirements of this definition listed above, except the size requirements, and has a manufacturer certificate required by HUD that complies with HUD standards for manufactured homes. (Ord. 15-14 § 4 (part), 2015; Ord. 10-12 § 4(A), 2010.)

(Ord. 16-11 § 4 (part), 2016.)

22.08.590 Mobile home.

SHARE

"Mobile home" means a structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight feet (two thousand four hundred thirty-eight millimeters) or more in width or forty feet (twelve thousand one hundred ninety-two millimeters) or more in length or, when erected

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on site, is three hundred twenty square feet (thirty square meters) or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes plumbing, heating, and electrical systems. (Ord. 15-14 § 4 (part), 2015; Ord. 10-12 § 4(B), 2010.)

22.08.600 Mobile/manufactured home parks.

"Mobile**/manufactured** home parks" means any area, lot or portion of a lot where space for two or more mobile homes **OR TINY HOUSES ON CHASSIS, AND/OR TINY HOUSES** is leased, rented or held out for rent for occupancy and having separate attachments for normal public utilities. **EXCEPTION: A MOBILE/MANUFACTURED HOME WITH AN ADU ON THE SAME LOT SHALL NOT BE CONSIDERED A MOBILE/MANUFACTURED HOME PARK.** (Ord. 02-1683 § 4 (part), 2002.)

22.08.610 Mobile/manufactured home subdivision.

"Mobile**/MANUFACTURED** home subdivision" means two or more mobile homes **OR TINY HOUSES ON CHASSIS OR TINY HOUSES** on separate lots developed under the subdivision regulations and the conditional use procedures of this title, where mobile homes, **MANUFACTURED HOMES, OR TINY HOUSES ON CHASSIS, OR TINY HOUSES,** are permanently installed for residential use on individually owned parcels of property. (Ord. 02-1683 § 4 (part), 2002.)

22.08.798 TINY HOUSE

"TINY HOUSE" MEANS A DWELLING THAT IS 400 SQUARE FEET OR LESS IN FLOOR AREA EXCLUDING LOFTS, AND PLACED ON A PERMANENT FOUNDATION.

22.08.799 TINY HOUSE ON CHASSIS

"TINY HOUSE ON CHASSIS" MEANS A DWELLING THAT IS 400 SQUARE FEET OR LESS IN FLOOR AREA EXCLUDING LOFTS, AND IS ON A CHASSIS WITH OR WITHOUT WHEELS.

Chapter 22.16
DISTRICT REGULATIONS

Sections:

22.16.010 Generally.

22.16.015 Permitted, conditional and prohibited uses.

22.16.016 Accessory uses.

22.16.020 P public lands district.

22.16.030 SF/SFLD single-family residential and single-family low density residential districts.

22.16.035 R-1 LDMH single-family or duplex low density or single-family low density manufactured home district.

22.16.040 R-1 single-family and duplex residential district.

22.16.045 R-1 MH single-family, duplex and manufactured home zoning district.

22.16.050 R-2 multifamily residential district.

22.16.060 R-2 MHP multifamily and mobile home district.

22.16.070 CBD central business district.

22.16.080 C-1 general commercial district or C-2 general commercial mobile home district.

22.16.100 WD waterfront district.

22.16.110 I industrial district.

22.16.120 GI general island district.

22.16.135 LI large island district.

22.16.150 R recreation district.

22.16.160 OS open space zone.

22.16.170 GP Gary Paxton special zone.

22.16.180 C cemetery district.

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Table 22.16.015-1

Residential Land Uses

Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	OS	GP (13)	C (16)
RESIDENTIAL																			
• Single-family detached		P	P	P(4)	P(4)	P(4)	P(4)	P(4)		P	P	P		P	P	P	P		
• Townhouse				C(5)	C(5)	C(5)	C(5)	C(5)	C	P	P	P		C	C				
• Duplex				P	P		P	P		P	P	P		P	P				
• Residential zero lot line				P	P	P	P	P		P	P	P							

Table 22.16.015-1

Residential Land Uses

Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	OS	GP (13)	C (16)
• Multiple-family				C(5)	C(5)	C(5)	P(5)	P(5)	P(5,8)	P(5)	P(5)	P(5)		C	C				
• Single manufactured home **OR TINY HOUSE ON CHASSIS** on an individual lot					P	P		P			P	P		C	C				
• Mobile home park								P			P	P							
• Accessory dwelling unit				P(14) C	C	C	P(14) C	C											
GROUP RESIDENCES														C	C				
• Assisted living	C						C	C						C	C				
• Bunkhouse for transient workers							C	C				C		C					
• Dormitory	C(4)						C	C											
• Quasi-institutional	C			C	C	C	C	C						C	C				
TEMPORARY LODGING																			
• Hostel							C	C		P	P	P							
• Hotel/motel									P	P	P	P		PU/CS	C	C			
• Bed and breakfast				C(7)	C(7)	C(7)	C(8)	C(8)	P	P	P	P		P	C				
• Short-term rental	C(15)			C	C	C	C	C	P	P(9)	P(9)	P(9)		P	C	P(9)			
• Rooming house							C	C	C	P	P	P		C	C				
• Lodge										P	P	P		PU/CS	C				

Table 22.16.015-1

Residential Land Uses

Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	OS	GP (13)	C (16)
• Limited storage				C(6)	C(6)	C(6)	C(6)	C(6)						P	C				

P: Public Lands District

SF: Single-Family District

SFLD: Single-Family Low Density District

R-1: Single-Family/Duplex District

R-1 MH: Single-Family/Duplex/Manufactured Home District

R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home Low Density Districts

R-2: Multifamily District

R-2 MHP: Multifamily/Mobile Home District

CBD: Central Business District

C-1/C-2: General Commercial and General Commercial/ Mobile Home Districts

WD: Waterfront District

I: Industrial District

GI: General Island District

LI: Large Island District

R: Recreational District

OS: Open Space District

GP: Gary Paxton Special District

C: Cemetery District

P—Permitted

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

C. Residential Uses Table 22.16.015-1 Footnotes.

Footnotes deleted from this draft

22.16.016 Accessory uses.

A. Intent. Certain uses are incidental and supportive of the principal use. These are indicated for each zoning district in the following table.

Table 22.16.016-1

Accessory Uses

PERMITTED ACCESSORY USES	**ZONES**
Accessory buildings such as garages and sheds	All zones
Required automobile parking in conjunction with permitted principal or conditional uses	All zones
Off-street parking for one commercial truck or van used for commuting	All residential zones
Required loading facilities	All zones
Utility installations except solid waste disposal facilities and water storage dams	All zones
Home occupations as defined by Section 22.20.060	All residential zones
Private outside storage of small noncommercial trucks, boats, recreational vehicles in required setbacks no closer than five feet to the property line	All residential zones
Parks, playgrounds and open space for informal recreation	All residential zones

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Table 22.16.016-1

Accessory Uses

PERMITTED ACCESSORY USES	ZONES
Accessory uses incidental to any permitted use	All nonresidential zones
One small private recreational cabin per lot in addition to the single principal structure	GI, LI and OS zones
One single unit watchman or caretaker dwelling	P and I zones
Boardwalks	R zone

(Ord. 06-06 § 4(F), 2006; Ord. 03-1750 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

22.16.020 P public lands district.

A. Intent. The public lands district is intended to contain government-owned lands or lands owned by nonprofit institutions serving the public interest which are utilized for public recreation, education or institutional uses.

B. Return of Land to Public Domain. Should any such land be sold or returned to the public domain, the zoning classification of the adjacent property having the most restricted classification shall be imposed.

(Ord. 04-60 § 4(H), 2004.)

22.16.030 SF/SFLD single-family residential and single-family low density residential districts.

A. Intent.

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1. The SF/SFLD districts are intended to include lands suited by topography and other natural conditions for urban development and which are provided with a full range of public utilities including sewer, water, electricity and storm drains or are intended to be provided with such utilities in the near future.

2. The SF/SFLD districts are very restrictive districts and may also be utilized as holding districts for lands which are located within the urban area but are not presently served by access or utilities until such time as a full-scale development plan can be adopted to allow a more permanent zoning district designation.

3. For the SFLD, all provisions of the SF district shall apply except that the minimum lot size shall be fifteen thousand square feet.

4. This district is intended for areas where the lack of utilities or topography makes increased density undesirable.

B. Prohibited Uses. Short-term rentals are prohibited in SF and SFLD districts.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.035 R-1 LDMH single-family or duplex low density or single-family low density manufactured home district.

A. Intent.

1. All provisions of the R-1 or R-1 MH district shall apply except that the minimum lot size shall be fifteen thousand square feet.

2. The minimum lot size for zero lot line developments in this zone shall be seven thousand five hundred square feet.

(Ord. 10-12 § 4 (part), 2010; Ord. 02-1683 § 4 (part), 2002.)

22.16.040 R-1 single-family and duplex residential district.

A. Intent. The R-1 district is intended to include lands suited by topography and other natural conditions for urban development and which are provided with a full range of public utilities including sewer, water, electricity and storm drains or are intended to be provided with such utilities in the near future.

1. This district is intended primarily for single-family or duplex residential dwellings at moderate densities, but structures and uses required to serve recreational and other public needs of residential areas are allowed as conditional uses subject to restrictions intended to preserve the residential character of the R-1 district.

2. The R-1 district, as it is a very restrictive district, may also be utilized as a holding district for lands which are located within the urban area but are not presently served by access or utilities until such time as a full-scale development plan can be adopted to allow a more permanent zoning district designation.

B. Signs may be allowed in conjunction with any permitted use subject to the provisions of Chapter 22.20 of this title.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.045 R-1 MH single-family, duplex and manufactured home zoning district.

A. Intent. See the intent statement for the R-1 district. The R-1 MH district is intended primarily for single-family, single-family manufactured homes or duplex dwellings, **TINY HOUSES OR TINY HOUSES ON CHASSIS** at moderate densities, but structures and uses required to serve recreational and other public needs of residential areas are allowed as conditional uses subject to restrictions intended to preserve the residential character of the R-1 MH district.

(Ord. 10-12 § 4 (part), 2010; Ord. 02-1683 § 4 (part), 2002.)

22.16.050 R-2 multifamily residential district.

A. Intent. The R-2 residential district is intended to include lands suited by topography and other natural conditions for urban development and which are provided with the full range of public utilities, including sewers, water, electricity, and storm drains or are intended to be provided with such utilities in the near future. This district is intended primarily for single-family and multiple-family residences at moderately high population densities. Structures required to serve governmental, educational, recreational, religious and limited professional office needs are allowed subject to permitted or conditional use restrictions intended to preserve and protect the residential character of the R-2 district.

B. Open Space. Open or play space shall be provided in all R-2 residential projects. The amount of allowable space shall be reviewed in consultation with the planning staff and planning commission but in any case shall

not be less than one hundred square feet per dwelling unit, must have a barrier, and be fenced or separated so as to not be used for other purposes, such as parking, storage, etc. In large projects, exceeding twelve units, a minimum of at least one thousand square feet shall be set aside for recreational purposes.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.060 R-2 MHP multifamily and mobile home district.

A. Intent. All provisions of the R-2 district shall apply except that permitted principal uses shall include mobile home parks.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.070 CBD central business district.

A. Intent. The central business district is designed specifically for concentrated retail, personal and business services of all kinds satisfying all residents in one central location. It should further prohibit exclusive residential or industrial uses which would interfere with the development and continuation of its cohesive business purposes.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.080 C-1 general commercial district or C-2 general commercial mobile home district.

A. Intent. The general commercial district is intended to be served by major essential utilities and to include those areas which are heavily dependent upon vehicular access. The district is intended for those areas surrounding major intersections where personal services, convenience goods and auto-related service facilities are desirable and appropriate land uses. The extension of the general commercial district along the roads in a strip fashion is to be discouraged.

B. All provisions of the C-1 district apply in the C-2 district, except that permitted uses also include manufactured homes **AND TINY HOUSES AND TINY HOUSES ON CHASSIS** on single lots and manufactured home parks.

(Ord. 10-12 § 4 (part), 2010; Ord. 02-1683 § 4 (part), 2002.)

22.16.100 WD waterfront district.

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A. Intent. The waterfront district is intended to be applied to lands with direct access or close proximity to navigable tidal waters within the urban area of the city and borough. Uses are intended whenever possible to be water-dependent or water-related with particular emphasis on commerce, tourism, commercial or industrial enterprises which derive major economic or social benefit from a waterfront location.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.110 I industrial district.

A. Intent. The industrial district is intended for industrial or heavier commercial uses including warehousing, wholesale and distribution operations, manufacturing, natural resource extraction, contractors' yards and other such uses that require larger property or larger water and sewer services.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.120 GI general island district.

A. Intent. The general island district is intended to replace the open general district. One of its goals is to protect the residential character of small subdivided islands while providing for commercial uses on small unsubdivided islands. The zoning district lines are intended to, whenever feasible, include unsubdivided islands of modest size and islands containing six lots or less.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.135 LI large island district.

A. Intent. The large island district is intended to replace the open rural low density district. Its goals include protecting the residential character of the larger subdivided islands. It is intended to cover islands such as Middle Island, Long Island, and Galankin. Islands with seven lots or more may be included in this zone. An objective of this zone is to have developments served by access easements built to a defined standard and to have potential moorage areas identified.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.150 R recreation district.

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A. Intent. The recreation district is intended to contain both public and private lands to be used for recreation purposes. Lands designated for this district should be evaluated for long-term public benefits to accrue from the protection offered by this designation.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.160 OS open space zone.

A. Intent. The intent of this zone is to serve as a holding zone for large islands or tracts for which specific plans have not been established.

(Ord. 02-1683 § 4 (part), 2002.)

22.16.170 GP Gary Paxton special zone.

A. Intent. The Gary Paxton special zone is intended to apply to the Gary Paxton industrial park and the associated tidelands portions and adjacent municipal tracts as defined by the zoning maps. It provides development flexibility for this unique site by allowing many uses that are permitted in both the waterfront and industrial zoning districts.

(Ord. 14-21 § 4 (part), 2014: Ord. 02-1683 § 4 (part), 2002.)

22.16.180 C cemetery district.

A. Intent. The cemetery district is intended to contain land used for cemeteries and limited accessory uses. All uses in the cemetery district are intended to be cemetery-related and conducted with reverence and respect for those interred. This a highly restrictive district.

(Ord. 19-15 § 4 (part), 2019.)

Chapter 22.24
SPECIAL USE PERMITS

D. Conditional Use Permit Provisions for Mobile Homes on an Interim Basis in the R-1, R-2 and Related Zones.

DRAFT

1. The city and borough of Sitka, through the conditional use permit process, may issue a permit for a single-family mobile home or travel trailer **OR TINY HOUSE ON CHASSIS** on a residential lot in an area not otherwise allowing mobile homes on an interim basis for the purposes of facilitating home construction.

2. The maximum term of the permit is twelve months with a possible six-month extension.

3. Full utilities must be installed for the mobile home or travel trailer **OR TINY HOUSE ON CHASSIS**.

4. Conditions attached to the approval shall include but are not limited to (a) a pledge of the travel trailer, mobile home, **TINY HOUSE ON CHASSIS,** or cash of equivalent value as collateral, and (b) in the event a travel trailer or mobile home **OR TINY HOUSE ON CHASSIS** is pledged as collateral, funds sufficient to cover the cost of removal and disposal of the unit, and (c) the trailer is for the sole occupancy of the lot owner and neither unit shall be occupied by any other party. Other conditions may include requirements of fencing or landscaping.

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CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
ZONING AMENDMENT APPLICATION

APPLICATION FOR

- [ ] ZONING MAP AMENDMENT
- [x] ZONING TEXT AMENDMENT

ANALYSIS: ***(Please address each item in regard to your proposal)***

- **NEED/HARDSHIP/JUSTIFICATION FOR PROPOSAL:** Make code amendments to Titles 6, 19, and 22, to define tiny homes, to set building code requirements for tiny homes, and to allow tiny homes to be placed in existing or new manufactured home parks and subdivisions.
- **PUBLIC BENEFIT OF PROPOSAL:** Provide greater opportunities for tiny homes to be used as a practical and viable affordable housing option.
- **CONSISTENCY WITH COMPREHENSIVE PLAN (Cite Section and Explain):** Housing objective: "Increase range of housing and affordability."
- **CONSISTENCY WITH PHYSICAL BOUNDARIES (Streets, Major Creeks, etc.):** NA
- **DOES NOT RESULT IN SPOT ZONING BECAUSE:** NA
- **PUBLIC HEALTH, SAFETY, AND WELFARE:** No impact. Under this proposal tiny homes will meet life safety standards set out in the building code and have a safety inspection prior to use.

Planning Department	Dec 5, 2019
Applicant	Date

		various
Last Name	Date Submitted	Project Address